Title 8
HEALTH AND SAFETY

Chapters:

Chapter 8.04
AIR POLLUTION CONTROL

Sections:

Article II. Registration, Permits and Compliance Agreements

Article I.
In General

8.04.010 Short title.

This chapter shall be known and may be cited as the "Bridgeport Air Pollution Control Ordinance."

(Prior code § 14-89)

8.04.020 Purpose of chapter.

It is declared to be the public policy of the city to preserve, protect and improve the air resources of the

city so as to promote health, safety and welfare, prevent injury to human health, plant and animal life and property, foster the comfort and convenience of its inhabitants, and to the greatest degree practical, facilitate the enjoyment of the natural attractions of the city.

(Prior code § 14-90)

8.04.030 Definitions.

When used in this chapter, the following words and terms shall have the meanings respectively ascribed to them:

"Air contaminant" means dust, fumes, gas, mist, smoke, vapor, odor, particulate matter or any combination thereof present in the atmosphere.

"Air contamination source" means any source at, from or by reason of which any air contaminant is emitted directly or indirectly into the ambient air space.

"Air pollution" means the presence in the outdoor atmosphere of one or more air contaminants or any combination thereof in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to public welfare, to the health of human, plant or animal life, or to property, or which interferes with the enjoyment of life and property.

"Air pollution appeals board" means the environmental review board as defined in Section 2.72.040 of this code.

"Air pollution control equipment" means any equipment which has the function of controlling the emissions from a process, fuel-burning or refuse-burning equipment, and thus reduces the creation or emission of air contaminants into the atmosphere, or both.

"Alteration" means any modification or change of the design, capacity, process or arrangement, or any increase in the connected load of equipment or control apparatus which will affect the kind or amount of air contaminant emitted.

"Ambient air" means the unconfined space occupied by the atmosphere above the geographical area of the city.

"Ashes" means cinders, fly ash or any other solid material resulting from combustion including unburned combustibles.

"Btu input" means the quantity of heat generated by a fuel, fed into a furnace under conditions of complete combustion, measured in British thermal units. Btu input includes sensible heat, calculated above sixty (60) degrees Fahrenheit available from materials introduced into the combustion zone. A

British thermal unit is the quantity of heat necessary to raise the temperature of one pound of water one degree Fahrenheit at or near thirty-one and one-tenth (31.1) degrees Fahrenheit.

"Bureau" means the bureau of air pollution control (environmental protection agency).

"Control apparatus" means any device which prevents, controls, detects or records the emission of any air contaminant.

"Department" means the city department of health and social services.

"Director" means the director of the environmental protection agency, or his duly authorized agent.

"Dust" means minute solid particles released into the air by natural forces, or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, etc.

"Dust-separating equipment" means any device for separating dust from the gas medium in which it is carried.

"Emission" means the act of passing into the atmosphere an air contaminant or gas stream which contains or may contain an air contaminant or the material so passed through the atmosphere.

"Emission point" means the location, place and horizontal plane and vertical elevation at which an emission enters the atmosphere.

"Equipment" means any device capable of causing the emission of an air contaminant into the open air, and any stack, conduit, flue, duct, vent or similar device connected or attached to or serving the equipment.

"Excess air" means air entering a combustion chamber in excess of the amount theoretically required to complete combustion of materials in the combustion chamber.

"Fly ash" means particulate matter capable of being gasborne or airborne, and consisting essentially of fused ash and/or burned or unburned material.

"Fuel" means any form of combustible material, whether solid, liquid, vapor or gas, excluding combustible refuse.

"Fuel-burning equipment" means any equipment, device or contrivance, and all appurtenances thereto, including ducts, breechings, fuel-feeding equipment, ash removal equipment, combustible controls, stacks and chimneys, used primarily but not exclusively to burn any fuel for the purpose of indirect

heating in which the material being heated is not contacted by, and adds no substance to, the products of combustion.

"Furnace" means an enclosed space provided for the ignition and/or combustion of fuel.

"Hand-fired furnace" means any furnace in which fresh fuel is manually thrown or placed directly on the hot fuel bed, but not stoves or other equipment used for the cooking of food, or fireplaces.

"Incinerator" means any article, machine, equipment, contrivance, structure or part of a structure used primarily to dispose of combustible waste by burning.

"Mist" means suspension of any finely divided liquid in any gas or atmosphere.

"Noxious gases" means gases which are, or may be, injurious, harmful, hurtful or unwholesome.

"Nuisance" means as otherwise interpreted in this chapter and/or the discharge into the open air of any smoke, soot, dust, fumes, odors, noxious gases or other emissions which cause injury, detriment or annoyance, or which endanger the comfort, repose, health or safety of any person or of the public, or which cause, or are likely to cause, injury or damage to business or property.

"Odor" means a property of a substance which affects the sense of smell.

"Opacity" means the state of a substance which renders it partially or wholly impervious to rays of light. The term "opacity" as used in this chapter refers to the obscuration of an observer's view.

"Open burning" means a fire in which any material is burned in the open, or in a receptacle other than a furnace, incinerator or other equipment connected to a stack.

"Particulate matter" means material which is or has been suspended in air or other gases, as a liquid or solid at standard conditions of temperature and pressure.

"Person" means any individual, partnership, firm, public or private corporation, association, subdivision or agency of the state, or any other legal entity.

"Process weight" means the total amount of all material introduced into an industrial operation, including solid fuels but excluding liquid fuels and gaseous fuels when these are used as fuels and air introduced for purposes of combustion.

"Process weight per hour" means:

1. For continuous or long-term operation. The total process weight for the entire period of operation, or

for a typical portion thereof, divided by the number of hours of such period, or portion thereof, excluding any time during which the equipment is idle;

2. For batch operation. The total process weight for a period which covers a complete operation or an integral number of cycles divided by the hours of actual process operation during such period, excluding any time during which the equipment is idle.

"Ringelmann smoke chart" means a chart for grading the appearance, density or shade of smoke as published with instructions for use by the U.S. Bureau of Mines in information circular 7718, dated August 1955. Any other method for grading smoke which is approved by the bureau of air pollution control as the equivalent of the Ringelmann chart may be substituted therefor.

"Salvage operation" means any operation conducted in whole or in part for the salvaging or reclaiming of any product or material.

"Smoke" means small gas borne particles other than water in sufficient number to be observable.

"Soot" means the dark substance, essentially carbon, resulting from the burning or heating of fuel or refuse.

"Standard conditions" means a temperature of sixty-eight (68) degrees Fahrenheit and a pressure of fourteen and seven-tenths (14.7) pounds per square inch absolute.

(Ord. dated 12/21/92 § 75(g); prior code § 14-91)

8.04.040 Director Right of entry.

The director, in the case of any written complaint or upon his own initiative, shall have the power to enter and inspect any building or place for the purpose of investigating sources of air pollution and ascertaining compliance with any regulation of the board. The director may apply to any court having criminal jurisdiction over such building or place for a warrant to inspect such premises to determine compliance with regulations of the board or sources of air pollution.

(Prior code § 14-92)

8.04.050 Director Duty in regard to elimination of pollution.

If the director finds that a violation of a regulation of the board exists, he shall endeavor by conference, conciliation and persuasion to eliminate any source of air pollution.

(Prior code § 14-93)

8.04.060 Confidentiality of information gained from inspections.

All information gained by an inspection pursuant to Section 8.04.040 shall be kept confidential except as it relates directly to air pollution.

(Prior code § 14-94)

8.04.070 Copies of reports to be furnished to suspected contaminator.

If samples are taken for analysis, a duplicate of the analytical report shall be furnished promptly to the person suspected of causing air pollution.

(Prior code § 14-95)

8.04.080 Enforcement of chapter.

A. Action pursuant to Chapter 1.12 of this code shall not be a bar to enforcement of this chapter, rules and regulations in force pursuant thereto, and orders made pursuant to this chapter by injunction or other appropriate remedy; and the department shall have the power to institute and maintain in the name of the city any and all such enforcement proceedings.

B. Nothing in this chapter shall be construed to abridge, limit or otherwise impair the right of any person to damages or other relief on account of injuries to persons or property and to maintain any action or other appropriate proceeding therefor.

(Prior code § 14-96)

8.04.090 Sealing of equipment.

A. The director of air pollution control, with the approval of the appeals board, may seal any equipment which:

1. Is required to have a permit and is installed or altered without obtaining a permit;

2. Causes, or is maintained or operated so as to cause, two or more violations of this chapter within twelve (12) consecutive months;

3. Causes, or is maintained or operated so as to cause, a violation of this chapter, if following such a violation an order by the director is not complied with in the period of time specified in the order;

4. Emits an air contaminant of a kind or in an amount which is toxic.

B. The owner or lessee of the equipment which may be sealed pursuant to subsection A of this section shall be notified in writing five days in advance, exclusive of the day of service, to show cause on a specified day why the equipment should not be sealed. The director may seal the equipment if he finds that any condition which caused or contributed to one or more of the violations has not been corrected to his satisfaction.

C. No person shall tamper with or remove the seal of any equipment.

D. A seal may be removed from equipment only upon receipt of written notice from the director of air pollution control stating that the equipment has been corrected to his satisfaction and that it may be used or operated.

(Prior code § 14-97)

Article II.
Registration, Permits and Compliance Agreements

8.04.100 Registration When required Contents.

Except as otherwise exempted under this article or this chapter, each person who is responsible for emission of air contaminants shall register with the director on forms provided by him:

A. His name;

B. His address;

C. The name of the person responsible;

D. If a business, firm or corporation, a description of the business entity and the nature of the business;

E. Such other information as the director may require.

(Prior code § 14-122)

8.04.110 Registration Fees.

A. A registration fee of ten dollars ($10.00) shall be charged for the initial registration and any subsequent registrations required by this chapter. Eleemosynary institutions are exempted from payment of a registration fee.

B. The fee shall be increased to fifty dollars ($50.00) for failure to file the registration within ninety (90) days after any subsequent registration if required by this chapter. The increased fee provided in this subsection for late registration shall be in addition to any penalty that may be imposed by any court upon conviction for violations of Sections 8.04.100 through 8.04.140.

(Prior code § 14-123)

8.04.120 Registration Updating requirements.

Each person subject to the registration requirements of this article shall maintain such registration in current status by reregistering with the director if any substantial change is made affecting the information file furnished in compliance with Section 8.04.100.

(Prior code § 14-124)

8.04.130 Registration Exempt sources.

The following sources of emission of air contaminants shall be exempt from the registration provisions of this article:

A. Internal combustion engines installed in mobile equipment units;

B. Ships and aircraft not otherwise included under subsection A of this section;

C. Combustion-type space heating equipment opera-tions in commercial establishments having not over three thousand (3,000) square feet of floor space;

D. Equipment for burning number 1 or number 2 fuel oil or natural gas for space heating;

E. Fuel-burning equipment used exclusively for heating the dwellings of six or less families.

(Prior code § 14-125)

8.04.140 Form of notices.

Each person regulated by this chapter shall be served with a notice, which shall be by registered mail if such notice is mailed, sent to the address contained in the registration on file with the director, or if the addressee is not registered, then to the last known address of such person.

(Prior code § 14-126)

8.04.150 Permits Required.

Every person, public utility, municipality, public agency or institution applying for a building permit from the building inspector, which building or structure will include any fuel-burning processing equipment, operation, heat transfer device, or any chimney or smokestack, or be occupied for industrial purposes, shall obtain from the health department a permit to construct and upon completion a permit to use.

(Prior code § 14-127)

8.04.160 Permits Plans to accompany application Review Action.

Any person shall, upon applying for a permit required by this article, submit plans of proposed construction, installation, alteration or modification likely to affect the quality of ambient air within the city to the director who shall review or cause to be reviewed such plan to determine the extent of compliance with this chapter and:

A. If there are deficiencies in such plan, the director shall make a written report to the person or agency of the deficiencies which will require corrective treatment.

B. If there are no deficiencies, the director shall approve, certify or register the plans as approved and give a written notification of the action to the person or agency requesting the review.

C. An application shall be acted on within ten calendar days after it is filed in the office of the director.

(Prior code § 14-128)

8.04.170 Permits Director's authority to require certificate of compliance in lieu of installation permit.

In the event the plans, specifications and information submitted to the director pursuant to Section 8.04.160 reveal a proposal to construct, install, reconstruct or alter any process, fuel-burning, refuse-burning or control equipment of such complex design and/or involving technological ingenuity or advances of considerable magnitude, the director may, at his option, and in lieu of issuing an installation permit, require the applicant to file with the director statements from the manufacturer and installation contractor certifying that the proposed equipment or installation will comply with all of the applicable provisions and limitations set forth in this chapter. Upon the filing of such certificate of compliance the applicant may proceed with the proposed installation, subject, however, to all of the provisions of Sections 8.04.180 through 8.04.230.

(Prior code § 14-129)

8.04.180 Permits Work in violation of plans submitted under Section 8.04.160 prohibited.

No construction, installation, reconstruction or alteration shall be made which is not in accordance with the plans, specifications and other pertinent information upon which the installation permit was issued without the written approval of the director.

(Prior code § 14-130)

8.04.190 Permits Director's authority to stop work in violation of installation permit.

Violation of the installation permit required by this article shall be sufficient cause for the director to stop all work in connection with such permit, and he is authorized to seal the installation. No further work shall be done until the director is assured that the condition in question will be corrected and that the work will proceed in accordance with the installation permit.

(Prior code § 14-131)

8.04.200 Permits Installation permit term.

If construction, installation, reconstruction or alteration is not commenced within six months of the date of the installation permit required by this article, the permit shall become void and all fees shall be forfeited, unless an extension of time is warranted and granted by the director.

(Prior code § 14-132)

8.04.210 Permits Applicant's right to submit affidavit of compliance where process or equipment is deemed secret.

If the applicant for a permit required by this article deems the process or the equipment to be secret, he may file, with the approval of the director, his affidavit to the effect that such equipment or process will be so used as to comply with all other provisions of this chapter. Any permits or approvals granted to the applicant shall be made in relevance of the truth of the representations set forth in such affidavit.

(Prior code § 14-133)

8.04.220 Permits Reports by permittees.

All persons engaged in operations which may result in air pollution and who under this chapter are required to obtain a permit shall file reports on forms furnished by the bureau, at such times as the director shall determine, containing information related to location, size of outlet, height of outlet, rate and period of emission, composition of effluent, characteristics of air-cleaning devices, and such other

similar information as the director shall require for review.

(Prior code § 14-134)

8.04.230 Permits Fees.

A. Fees for the permits required by this article shall be as follows:

1. Fuel-burning equipment $15.00

2. Refuse-burning equipment:

a. Less than fifteen (15) square feet of grate area 10.00

b. Fifteen (15) or more square feet of grate area 15.00

c. Process equipment or control devices 25.00

B. Fees for permits required by this article shall be paid by owners, operators or authorized agents at the department of health and social services.

(Ord. dated 12/21/92 § 75(g); prior code § 14-135)

8.04.240 Compliance agreements.

A. The provisions of this section shall apply only to sources in existence prior to October 6, 1969. Where emission sources in existence prior to such date do not meet the emission limitations noted in Section 8.04.270, then a program to meet the emission limitations stipulated shall be developed and offered to the director by the owner of the equipment causing the emission; provided, however, that written agreements entered into between any person and properly authorized appropriate city officials prior to such date for the elimination or abatement of air pollution shall be recognized as valid and enforceable obligations under the terms of this chapter, and compliance with such agreements shall constitute compliance with this chapter for all purposes. This program shall be submitted upon the request of and within such times as shall be fixed by the director; and after such program has been approved by the director, the owner of the equipment causing the emission shall not be in violation of this chapter so long as such program is observed. In evaluating such a program of improvements, the director shall take into consideration the following factors:

1. Action taken to control atmospheric pollution within emission limitations in effect prior to October 6, 1969;

2. Efficiency of any existing control equipment relative to that which would be required to meet emission limitations of this chapter;

3. Temporary interim control measures intended to minimize existing pollution levels;

4. The effect the source of emission has on ambient air quality generally or in the immediate vicinity of the source;

5. The degree of control in relation to other similar facilities which produce air pollution;

6. The age and prospective life of the facility in question.

Reports consisting of information required by the director indicating the progress of these programs shall be submitted annually to the director by the owner of the equipment causing the emission in question.

B. If the director determines that the program submitted by the owner has not been followed, he may suspend the program and issue a violation notice. In the event the owner of the equipment causing the emission and the director cannot evolve a mutually acceptable program of improvement, the matter shall be referred to the appeals board for resolution and determination of an acceptable program. In making its determination, the appeals board shall also take into consideration the factors noted in subsection (A)(1) through (6) of this section.

(Prior code § 14-136)

Article III.
Prohibited Emissions

8.04.250 General prohibition.

No person shall cause, suffer, allow or permit to be emitted into the open air substances in such quantities as shall result in air pollution. The provisions of this section shall apply to the use of ecological poisons.

(Prior code § 14-142)

8.04.260 Visible emissions resulting from fuel-burning equipment and incinerators.

A. The following restrictions shall be applicable to all sources of emission:

1. No person shall discharge into the atmosphere from any single source of emission whatsoever, except

as noted in subsection (A)(3) of this section, any air contaminant of a shade or density equal to or darker than that designated as No. 2 on the Ringelmann Chart; or

2. Of such opacity, exclusive of water vapor, as to obscure an observer's view to a degree equal to or greater than the smoke described in subsection (A)(1) of this section.

3. Discharge into the atmosphere from any single source of an air contaminant of a shade or density not darker than Ringelmann No. 3 shall be permitted for a period not to exceed two minutes or an aggregate of not more than four minutes per hour.

4. After October 6, 1971, all fuel-burning equipment must operate in accordance with subsection B of this section.

B. The following restrictions shall be applicable to any new sources, effective October 6, 1971:

1. No person shall discharge into the atmosphere from any incinerator or any new fuel-burning equipment, except as noted in subsection (A)(3) of this section, any air contaminant of a shade or density equal to or darker than that designated as No. 1 on the Ringelmann Chart; or

2. Of such opacity, exclusive of water vapor, as to obscure an observer's view to a degree equal to or greater than the smoke described in subsection (B)(1) of this section.

3. No person shall discharge into the atmosphere from any incinerator particles of unburned waste or ash which are individually large enough to be visible while suspended in the atmosphere.

(Prior code § 14-143)

8.04.270 Emission of particulate matter.

A. For purposes of this section, the heat input shall be the aggregate heat content of all fuels whose products of combustion pass through a stack or chimney. The heat input value used shall be the equipment manufacturer's or designer's guaranteed maximum input whichever is greater. If two or more fuel-burning units are connected to a single stack or chimney, the total heat input of all fuel-burning units connected to the stack or chimney shall be the heat input value used for the purpose of computing the maximum allowable amount of particulate matter which may be emitted. If a single fuel-burning unit is connected to two or more stacks or chimneys, the heat input of the fuel-burning unit shall be used for the purpose of computing the maximum allowable amount of particulate matter which may be emitted. No person shall cause, suffer or allow to be emitted into the outdoor atmosphere from any fuel-burning equipment or premises, or to pass a convenient measuring point near the stack outlet, particulate matter in the flue gases to exceed 0.60 pound per one million Btu heat input for installations using less than 10 million Btu per hour total input. Table 1 will be used to determine the allowable particulate emission limitation.

1. No person shall cause or permit the emission of particulate matter, caused by combustion of fuel-burning equipment, from any stack or chimney in excess of the quantity set forth in the following table:

Table 1

Heat Input Millions of Btu per Hour	Maximum Allowable Emission of Particulate Matter in Pounds per Hour per Million Btu of Heat Input
10....	0.60
50....	0.46
100....	0.40
500....	0.30
1,000....	0.26
2,500....	0.23
5,000....	0.20
7,500....	0.19
10,000....	0.18.

2. For heat inputs between any two consecutive heat inputs in the tables in this section, the allowable maximum particulate matter emission shall be determined by graphical interpolation on logarithmic paper.

3. The amount of particulate matter emitted shall be measured according to the American Society of Mechanical Engineers "Power Test Codes PTC-27," dated 1957 and entitled "Determining Dust Concentration in a Gas Stream."

4. The heat content of coal shall be determined according to American Society for Testing and Materials D-271-64, Standard Methods of Laboratory Sampling and Analysis of Coal and Coke, D-2015-62T, Tentative Method for Test for Gross Calorific Value of Solid Fuel by the Adiabatic Bomb Calorimeter, or equivalent methods.

B. The burning of refuse in fuel-burning equipment is prohibited, except in equipment from which no visible emissions in excess of those permitted in Section 8.04.260(B), and no particulate matter in excess of that permitted by subsection A of this section are emitted, and no odors arising from the installation are detectable beyond the premises on which the installation is located.

C. No person shall cause, let, permit, suffer or allow any emission from any incineration operation or salvage operation which does not comply with the emission limitations provided in this chapter. Every

person responsible for an emission covered by this section shall have and maintain means whereby the operator of the equipment shall be able at all times during the operation to know the appearance of the emission. For all incinerators, emissions shall not exceed 0.2 grain of particulate matter per standard cubic foot of dry flue gas corrected to twelve (12) percent carbon dioxide (without the contribution of auxiliary fuel).

D. The maximum allowable emission of particulate matter from any source whatever except fuel-burning equipment and incinerators shall be determined from Table 2.

Table 2. Allowable Rate of Emission Based on Process Weight Rate

Process Weight Rate		Rate of Emission
Lbs./Hr.	Tons/Hr.	Lbs./Hr.
100	0.05....	0.551
200	0.10....	0.877
400	0.20....	1.40
600	0.30....	1.83
800	0.40....	2.22
1,000	0.50....	2.58
1,500	0.75....	3.38
2,000	1.00....	4.10
2,500	1.25....	4.76
3,000	1.50....	5.38
3,500	1.75....	5.96
4,000	2.00....	6.52
5,000	2.50....	7.58
6,000	3.00....	8.56
7,000	3.50....	9.49
8,000	4.00....	10.4
9,000	4.50....	11.2
10,000	5.00....	12.0
12,000	6.00....	13.6
16,000	8.00....	16.5
18,000	9.00....	17.9

20,000	10.00....	19.2
30,000	15.00....	25.2
40,000	20.00....	30.5
50,000	25.00....	35.4
60,000	30.00....	40.0
70,000	35.00....	41.3
80,000	40.00....	42.5
90,000	45.00....	43.6
100,000	50.00....	44.6
120,000	60.00....	46.3
140,000	70.00....	47.8
160,000	80.00....	49.0
200,000	100.00....	51.2
1,000,000	500.00....	69.0
2,000,000	1,000.00....	77.6
6,000,000	3,000.00....	92.7

An interpolation of the data in this table for process weight rates up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation E = 4.1 × p67 and interpolation and extrapolation of the data for process weight rates in excess of sixty thousand (60,000) pounds per hour shall be accomplished by the use of the equation:

$$E = 55 \times p11\ \ 40$$

where E = rate of emission in pounds per hour and p = process rate in tons per hour.

E. Stack emission tests for particulate matter shall be undertaken by generally recognized standards or methods of measurements. Methods founds in the ASME Test Code for Dust Separating Apparatus, PTC 21-1941, the ASME Test Code for Determining Dust Concentration in Gas Streams, PTC 27-1957, and the Los Angeles County Source Testing Manual shall be used; but these may be modified or adjusted by the director of the bureau of air pollution control to suit the specific sampling conditions or needs based upon good practice, judgment and experience.

(Prior code § 14-144)

8.04.280 Motor vehicles Idling of engines restricted.

A. No person shall cause or permit the engine of a motor vehicle as defined in Section 10.16.010 of this code, other than a legally authorized emergency vehicle, to idle for longer than ten minutes while parking as defined in such section.

B. Any person violating this section may be issued a parking violation ticket by members of the city police department or by those special policemen assigned to the bureau of air pollution control.

C. Such ticket shall provide for a fine of fifteen dollars ($15.00) payable through the police traffic division.

(Prior code § 14-145)

8.04.290 Excessive emissions.

A. No motor vehicle, as defined in Section 10.16.010 of this code, shall be operated within the boundaries of the city in a manner resulting in the escape of excessive smoke, flame, gas, oil or fuel residue.

B. The term "excessive," as used in this section, is defined to mean any quantity of smoke which is outstanding enough to draw attention to the vehicle emitting it and is more than ordinary under the circumstances.

C. Any person violating this section may be issued a motor vehicle violation ticket by members of the city police department or by those special policemen assigned to the bureau of air pollution control.

D. Such ticket shall provide for a fine of fifteen dollars ($15.00) payable through the police traffic division within ten days. In the case of a first offense for such violations, proof of repair will be accepted in lieu of the payment of the fine.

E. In addition to such fine and in the absence of proof of repair, the motor vehicle registration number of the motor vehicle causing the excessive emissions shall be forwarded to the state motor vehicle department together with a request that an inspection be made of the motor vehicle in question and that appropriate action be taken in accordance with Section 14-100c of the Connecticut General Statutes.

(Prior code § 14-146)

Article IV.
Specific Operations Requirements

8.04.300 Regulation of dissemination of dust.

A. No person shall so handle, transport, work, load, unload, treat or deal with any dust-producing substance in any place in the city as by the spreading or disseminating of dust to annoy or disturb unreasonably, or to endanger the comfort, health or safety of any person not therein or thereupon engaged, or to cause detriment to the business or property of others.

B. All piles of coal, dirt, sand and other dust-producing substances in the open air shall be covered or treated so as to effectively control the spreading or dissemination of dust, providing such piles of material are so located as to be a potential nuisance.

C. No person shall cause, suffer or allow any dust-producing substance to be transported through any street without taking adequate measures at all times sufficient to prevent effectively the spreading or dissemination of dust from such dust-producing substance into the open air or upon public or private property. The provisions of this section may be enforced by the police department as well as by the director of the bureau of air pollution control.

(Prior code § 14-154)

8.04.310 Open burning Restricted generally.

Except as provided in Sections 8.04.320 and 8.04.330, no person shall cause, suffer, allow or permit an open fire in any public or private place outside any building. During the existence of an air pollution alert, as may be declared by the director, all exceptions are void.

(Prior code § 14-155)

8.04.320 Open burning With permit.

Open burning may be carried out under permits issued as follows:

A. Application for burning permits shall be on forms provided by the bureau.

B. No permit shall be issued unless the issuing officer is satisfied that:

1. There is no practical available alternate method for the disposal of the material to be burned;

2. No hazardous condition will be created by such burning;

3. No salvage operation by open burning will be conducted; and

4. No leaves will be burned in those areas where provision is made for public collection thereof.

C. Any permit issued may be limited by the imposition of conditions to:

1. Prevent the creation of smoke as prohibited by this chapter; or

2. Protect property and the health, safety and comfort of persons from the effects of the burning.

D. If it becomes apparent at any time to the director that limitations need to be imposed for any of the reasons stated in subsection C of this section, the director or his duly designated agent shall notify the permittee in writing; and any limitations so imposed shall be treated as conditions under which the permit is issued.

(Prior code § 14-156)

8.04.330 Open burning Without permit.

Open fires may be set without permit in performance of an official duty as designated by the fire marshal and/or the director if the fire is necessary for one or more of the following reasons or purposes:

A. For the prevention of a fire hazard which cannot be abated by other means;

B. For the instruction of public fire fighters or industrial employees under supervision of the fire marshal; or

C. For the protection of public health.

(Prior code § 14-157)

8.04.340 Control of odors.

No person shall construct, install, use or cause to be used any equipment or process which will result in odors being detectable in any area of human use or occupancy.

(Prior code § 14-158)

Chapter 8.08
MORATORIUM ON NEW AIR POLLUTION SOURCES AND EXPANSION OF SOLID WASTE FACILITIES

Sections:

8.08.010 Definitions.

All words and phrases referring to environmental law, air discharge permits, air pollution or contaminants shall be defined as they appear in the state statutes and regulations.

(Ord. dated 3/5/90 (part))

8.08.020 Conditions for permitting new stationary major air pollution sources.

The permitting, siting, development or construction of any new stationary major source of air pollution or contamination within the city that requires a permit for air pollution discharge or discharges from any agency of the United States of America or the state of Connecticut is prohibited until: (1) the Congress of the United States may amend the Clean Air Act. 42 U.S.C. Section 7401 et seq. and the city reviews the amended Act and determines that Act's impact on the future growth, development, public health and quality of life of Bridgeport, or: (2) until June 30, 1991 whichever occurs first, with review sixty (60) days prior to expiration date by the common council.

(Ord. dated 3/5/90 (part))

8.08.030 Report Submittal Purpose.

The city, by and through its council, shall employ or contract with experts competent in environmental science and law to review and submit a written report on: (1) the amended Clean Air Act, and any regulations enacted thereto, and (2) the potential impact of the Act and regulations on the future growth, development, public health and quality of life in Bridgeport. The common council shall utilize the report for purposes of developing a comprehensive plan and ordinances to protect and manage the rights of the city within the amended Act. Depending upon the method of employment, the common council must receive all appropriate approvals for any agreement to retain the services of experts or to expend funds pursuant thereto. Selection of experts shall require an affirmative vote of the majority of the common council.

(Ord. dated 3/5/90 (part))

8.08.040 Conditions for the expansion of existing or construction of new solid waste facilities.

Further, this chapter shall prohibit the expansion of any existing solid waste facility, or the siting, development or construction of any new solid waste facility as defined in Connecticut General Statutes 22A-207(3), (4), which requires a permit from any agency of the United States of America or the state of Connecticut until the earlier of: (1) the zoning commission of the city has notified the common council that the commission has enacted all regulations relative to this chapter that it deems necessary to assure appropriate growth and development within the city and to protect the city's public health and quality of life, or (2) until June 30, 1991.

(Ord. dated 3/5/90 (part))

8.08.050 Exemption.

Any exemption provided by state statutes as to the requirement for state air discharge permits will apply as to this chapter, and any public building, school and hospital may be exempt from application of this chapter.

(Ord. dated 3/5/90 (part))

8.08.060 Violation Penalty.

Any violation of this chapter shall subject the officer, agent or employee to disciplinary action as provided in the prevailing collective bargaining agreement per the terms and conditions of employment, the laws of the state of Connecticut, and the charter and ordinances of the city.

(Ord. dated 3/5/90 (part))

Chapter 8.12
ALARM SYSTEMS

Sections:

8.12.010 Unauthorized use Reward for arrest, conviction of violators.

No person shall open any alarm box connected with the fire alarm telegraph system except by the authority of or with the keys furnished by the board of fire commissioners, nor wilfully and falsely proclaim that a fire has been extinguished. This section shall not be so construed as to conflict with Section 53a-115 of the General Statutes. The board of fire commissioners is authorized to offer a reward not exceeding fifty dollars ($50.00) for the arrest and conviction of any person wilfully giving a false alarm of fire.

(Prior code § 11-161)

8.12.020 Supervision of telegraph and police signal systems.

The fire alarm telegraph system and the police signal system shall be under the supervision and control of the superintendent of the fire alarm telegraph system, subject to the rules and regulations of the board of fire commissioners. The board of police commissioners shall have the right, however, to select the location, etc., of signal boxes, extensions or improvements in the police signal system and to purchase, in accordance with the charter and ordinances of the city, all apparatus connected with the police signal system except underground cable, and they shall transmit all orders or complaints to the board of fire commissioners. All men employed on either the police signal or fire alarm telegraph system shall be members of the fire department appointed by the board of fire commissioners and shall be subject to the rules and regulations of such department.

(Prior code § 11-162)

8.12.030 False burglar and holdup alarms.

A. Purpose.

1. The purpose of this section is to encourage alarm users and alarm businesses to maintain the operational reliability and properly use alarm systems and to reduce or false alarm dispatch requests and, thereby, prevent the misuse of police resources.

2. This section governs systems intended to summon police response, requires permits, establishes fees, provides for penalties for violations, establishes a system of administration, and sets conditions for suspension or loss of permits.

B. Definitions. As used in this chapter:

"Alarm administrator" means a person or persons designated by the chief of police to administer, control and review alarm applications, permits, alarm dispatch request fines and penalties.

"Alarm appeals officer" means an individual designated by the chief of police to receive and hear appeals from fines or penalties.

"Alarm business" means the business, by an individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing or monitoring an alarm system in an alarm site.

"Alarm dispatch request" means notification to the police by the alarm business that an alarm, either manual or automatic has been activated at a particular alarm site.

"Alarm site" means a single premise or location served by an alarm system or systems. Each tenancy if served by a separate alarm system in a multi-tenant building or complex shall be considered a separate alarm site.

"Alarm system" means a device or series of devices, including, but not limited to, systems interconnected with radio frequency signals, which are designed to discourage crime, by emitting or transmitting a remote or local audible, visual or electronic signal indicating an alarm condition. Alarm system does not include: an alarm installed on a vehicle unless the vehicle is permanently located at a site; or an alarm designed to alert only the inhabitants of a premise that does not have a sounding device, which can be heard on the exterior of the alarm site.

"Alarm user" means any person, firm, partnership, corporation or other entity who (which) uses an alarm system at its alarm site.

"Appeals review panel" means the panel designated to hear and decide all false alarm appeals in accordance with subsection O of this section. The panel will consist of a member of the police department and a community representative recommended by the chief and approved by the council, and an individual recommended by the Connecticut Burglar and Fire Alarm Association, who is also a resident of Bridgeport, approved by the council.

"Automatic telephone dialing alarm" means an alarm system which automatically sends over regular telephone lines a prerecorded voice message or coded signal indicating the existence of an emergency situation the alarm system is designed to detect.

"Chief" means the chief of police of the city or his designee.

"Conversion" means the transaction or process by which one alarm business begins monitoring of an alarm system previously monitored by another alarm business.

"Duress alarm" means a silent alarm signal generated by the manual activation of a device intended to signal a crisis situation requiring police response.

"False alarm" means an activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or his employees or agents. Such terminology does not include alarms caused by hurricanes, tornadoes, earthquakes, or other acts of nature or a prolonged power failure lasting more than four hours.

"False alarm dispatch" means an alarm dispatch request to the police department, when the responding officer finds no evidence of a criminal offense or attempted criminal offense after having completed a timely investigation of the alarm site. An alarm dispatch request which is canceled by the alarm business or the alarm user prior to the time the responding officer reaches the alarm site shall not be considered a false alarm dispatch.

"False alarm user awareness class" means a class operated by the governing entity for the purpose of educating alarm users about the problems created by false alarm dispatches and in the responsible use of their alarm system.

"Holdup alarm" means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

"Keypad" means a device that allows control of an alarm system by the manual entering of a coded sequence of numbers or letters.

"Modified response" means the categorization of an alarm call as priority three or a non-response, as determined by the alarm administrator in conjunction with the chief of police and/or his designee.

"Monitoring" means the process by which an alarm business receives signals from alarm systems and relays an alarm dispatch request to the city for the purpose of summoning police response to the alarm site.

"One plus duress alarm" means the manual activation of a silent alarm signal by entering at a keypad a code that adds one to the last digit of the normal arm/disarm code (normal code = 1234 one plus duress code = 1235).

"Person" means an individual, corporation, partnership, association, organization or similar entity.

"Takeover" means the transaction or process by which an alarm user takes over control of an existing alarm system that was previously controlled by another alarm user.

"Verify" means an attempt, by the alarm business, or its representative, to contact the alarm site by telephonic or other electronic means, whether or not actual contact with a person is made, before requesting a police dispatch, in an attempt to avoid an unnecessary alarm dispatch request.

C. Registration Required Application, Fee, Transferability, False Statements.

1. Automatic telephone dialing alarms coming directly into the communications center of the police department are prohibited.

2. No commercial or multi-family premise alarm user shall operate, or cause to be operated, an alarm system at its alarm site without a valid alarm permit issued by the alarm administrator. A separate registration is required for each alarm site. Single alarm site (residence) shall be encouraged but not mandated to register.

3. A special classification shall be required for an alarm system equipped with a duress alarm.

4. There will be an amnesty period for alarm users to register all existing and new alarm sites. This period will be from January 1, 2000 to March 31, 2000. Thereafter, there will be a one-time fee of twenty dollars ($20.00) for the registration of each alarm site. The initial registration fee must be submitted to the alarm administrator within fifteen (15) days after the alarm installation or alarm takeover.

5. Upon receipt of a completed application form for registration, the alarm administrator shall issue an alarm registration to an applicant unless the applicant has:

a. Failed to pay a fine assessed under subsection L; or

b. Had an alarm registration for the alarm site suspended or revoked, and the violation causing the suspension or revocation has not been corrected.

6. Each registration application must include the following information:

a. The name, address, and telephone numbers of the person who will be the registration holder and be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this section;

b. The classification of the alarm site as either residential, commercial or apartment;

c. For each alarm system located at the alarm site, the purpose of the alarm system, i.e., burglary, holdup, duress, or other;

d. Signed certification from the alarm user and the alarm business stating:

i. The date of installation, conversion or takeover of the alarm system, whichever is applicable,

ii. The name, address and phone number of the alarm business performing the alarm system installation, conversion or alarm system takeover and responsible for providing repair service to the alarm system,

iii. The name, address and phone number of the alarm business monitoring the alarm system if different from the installing alarm business,

iv. That a set of written operating instructions for the alarm system, including written guidelines on how to avoid false alarms, have been left with the applicant, and

v. That the alarm business has trained the applicant in proper use of the alarm system, including instructions on how to avoid false alarms.

e. For all new systems registered after October 1, 1999, the electrical permit number issued by the city in accordance with Connecticut General Statutes 20-333 to 20-340; and name, phone number and business phone of all authorized key holders;

f. Classification of the alarm site as being equipped or non-equipped for duress alarm.

7. Any false statement of a material matter made by an applicant for the purpose of obtaining an alarm permit shall be sufficient cause for refusal to issue a permit.

8. An alarm registration cannot be transferred to another person. An alarm user shall inform the alarm administrator of any change that alters any information listed on the permit application within ten business days.

9. All fees owed by an applicant must be paid before a registration may be issued or renewed.

10. Information contained in permit applications shall be held in confidence by all employees or representatives of the city with access to such information.

D. Alarm Systems in Apartment Complexes-Furnished by the Apartment Complex as an Amenity.

1. If the owner or property manager of an apartment complex provides alarm systems in each residential unit as an amenity, then the owner of property manager of the apartment complex shall obtain a registration from the alarm administrator.

2. For purposes of assessing fines and enforcing this article, the alarm registration holder is responsible for payment of fines for false alarm dispatches emitted from the alarm systems in residential units.

3. The owner or property manager of an apartment complex shall obtain a separate alarm permit for any alarm system operated in a non-residential area of the apartment complex, including, but not limited to,

common tenant areas and office, storage and equipment areas.

E. Proper Alarm Systems Operation and Maintenance.

1. An alarm user shall:

a. Maintain the premises and alarm system in a manner that will minimize or eliminate false alarm dispatches, and

b. Make every reasonable effort to respond or cause a representative to respond to the alarm system's location within thirty (30) minutes when notified by the city or the monitoring service to deactivate a malfunctioning alarm system, to provide access to the premises, or to provide security for the premises, and

c. Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.

2. An alarm user shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an alarm site will sound for no longer than fifteen (15) minutes after being activated nor at any decibel level of sound beyond that provided for in Chapter 8.80.

3. An alarm user shall have a properly licensed alarm technician inspect his alarm system after six false alarm dispatches in a one-year period. After six false alarm dispatches the alarm user must have a properly licensed alarm business modify the alarm system to be more false alarm resistant or provide additional user training as appropriate.

F. Monitoring Procedures.

1. An alarm business performing monitoring services shall:

a. Attempt to verify every alarm signal, except a duress or hold up alarm activation before requesting a police response to an alarm signal;

b. Communicate alarm dispatch requests to the city in a manner and form determined by the alarm administrator;

c. Communicate verified cancellations of alarm dispatch requests to the city in a manner and form determined by the alarm administrator.

G. Duties of Alarm Business.

1. After January 1, 2000, alarm businesses shall not program alarm systems so that they are capable of sending one plus duress alarms. Alarm businesses may continue to report one plus duress alarms received from alarm systems programmed with this feature prior to January 1, 2000. However, after January 1, 2000, when performing a takeover or conversion an alarm business must remove the one plus duress alarm capability from the alarm system being taken over or converted.

2. After January 1, 2000, alarm businesses shall not install a device for activating a hold-up alarm which is a single action non-recessed button.

3. After January 1, 2000, alarm businesses shall not install any control panel which does not meet the security industry association standards as certified by underwriter laboratories.

H. Alarm System Operating Instructions. An alarm user shall maintain at each alarm site, a set of written operating instructions for each alarm system.

I. Alarm Dispatch Request Records. Alarm businesses which perform monitoring services must maintain for a period of at least one-year following request for police dispatch to an alarm site, records relating to the dispatch. Records must include the name, address and phone number of the alarm user, the alarm system zone(s) or point(s) activated, the time of request for police dispatch and evidence that an attempt to verify was made to the alarm site prior to the request for police dispatch. The alarm administrator may request copies of such records for individually named alarm users.

J. System Performance Reviews. If there is a reason to believe that an alarm system is not being used or maintained in a manner that ensures proper operation and suppresses false alarms, the alarm administrator may require a conference with an alarm user and the alarm business responsible for the repair of the alarm system to review the circumstances of each false alarm.

K. False Alarm User Awareness Class. The administrator shall oversee the creation and implementation of a false alarm user awareness class. The training program shall inform alarm users of the problems created by false alarm dispatches and teach alarm users how to operate their alarm systems without generating false alarm dispatches.

L. Fines.

1. An alarm user shall be subject to fines, warnings and suspension or revocation of permit depending on the number of false alarm dispatches emitted from an alarm system within a rolling twelve (12) month period based upon the following schedule:

Number of false alarm dispatches	Action taken	Fines
3	Warning letter	0
4-6		$50

More than 7	$99 per incident plus option of modified response

2. In addition, any person, operating a non-registered alarm system (whether revoked, suspended or never acquired) will be subject to an additional fine of ninety-nine dollars ($99.00) for each false alarm dispatch, in addition to the other fines specified above. The alarm administrator may waive this additional fine for a non-permitted system if the alarm user properly registers the site within ten days after such violation.

3. An alarm user shall, after the fourth false alarm dispatch, have the one-time option of attending a false alarm user awareness class in lieu of paying the prescribed fine.

4. The alarm administrator may reinstate a suspended registration or adjust a modified response designation upon receipt of acceptable evidence that the cause has been addressed and appropriate corrective action has been taken as outlined in subsection P.

M. Appeal From Fines.

1. An alarm user may appeal assessment of a fine to the alarm appeals officer by filing a written request for hearing setting forth the reasons for the appeal within ten days after receipt of the fine. The filing of a request for an appeal hearing with the alarm appeals officer stays the assessment of the fine until the alarm appeals officer makes a final decision.

2. The alarm appeals officer shall conduct a formal hearing and consider the evidence submitted by any interested person(s). He shall make his decision on the basis of the preponderance of evidence presented at the hearing including, but not limited to evidence that a false alarm dispatch was caused by a defective part that has been repaired or replaced or that an alarm dispatch request was caused by a criminal offense. The alarm appeals officer must render a decision within thirty (30) days after the appeal hearing. The alarm appeals officer shall affirm, reverse or modify the assessment of the fine or penalty. The decision of the alarm appeals officer is final as to administrative remedies with the city.

3. During an appeal the alarm user will not be fined if the appeals process falls within the period of registration renewal. The alarm user will have ten days after an appeal decision is made to re-register without penalty.

N. Revocation, Suspension or Modified Response.

1. In addition to suspension, revocation or modified response pursuant to subsection L, the alarm administrator may suspend or revoke an alarm registration if it is determined that:

a. There is a false statement of a material matter in the application for a permit; the permit holder has failed to make timely payment of a fee assessed under subsection M(2) or;

b. After documenting seven or more false alarm dispatches at a single alarm site, the alarm administrator, in conjunction with the chief of police and/or his designee, reserves the right to categorize an alarm site/user as a chronic abuser of the police alarm response process. After such designation, the police department can respond to an alarm dispatch request with a modified response. Appeals from the chronic abuser designation are made in accordance with subsection M of this section.

O. Appeal From Denial, Suspension or Modified Response.

1. If the alarm administrator denies the issuance or renewal of a registration, or suspends or revokes a registration, he or she shall send written notice of his action and a statement of the right to an appeal, by certified mail, return receipt requested, to both the applicant or alarm user and the alarm business.

2. The applicant or alarm user may appeal the decision of the alarm administrator to the chief or his designee by filing a written request for a review setting forth the reasons for the appeal within fourteen (14) days after receipt of the notice from the alarm administrator. An alarm business may submit the request for review on behalf of an alarm user.

3. Filing of a request for appeal shall stay the action by the alarm administrator suspending or revoking a permit until the chief or his designee has completed his/her review.

4. The alarm review panel shall conduct a formal hearing and consider the evidence submitted by any interested person(s). It shall make a decision on the basis of a preponderance of the evidence presented at the hearing including, but not limited to, certification that alarm users have been retrained, that a defective part has been repaired or replaced, or that the cause of the false alarm has been otherwise determined and corrected. The panel shall affirm, reverse, or modify the action of the alarm administrator. The decision of the panel is final as to administrative remedies with the city.

P. Reinstatement of Permit.

1. A person whose alarm permit has been revoked may be issued a new permit if the person:

a. Submits an updated application and pays a twenty dollars ($20.00) permit fee, and;

b. Pays, or otherwise resolves, all citations and fines, and;

c. Submits appropriate documentation from an alarm business, that complies with the requirements of this article, stating that the alarm system has been inspected and repaired (if necessary) and staff retrained as necessary by the alarm business.

Q. Confidentiality of Statistics.

1. All names and addresses of complying alarm users shall be held in the strictest of confidence and shall be deemed a public record exempt from disclosure. Any violation of confidentiality shall be deemed a violation of this ordinance. The alarm administrator shall be charged with the sole responsibility for the maintenance of all records of any kind under this ordinance.

2. Subject to the requirements of confidentiality, the alarm administrator shall develop and maintain statistics having the purpose of assisting alarm system evaluation for use by members of the public.

(Ord. dated 10/18/99)

(Ord. dated 11/3/08)

Chapter 8.13
FIRE ALARM SYSTEM FEES

Sections:

8.13.010 Registration required; fee.

There will be a one-time fee of twenty dollars ($20.00) for the registration of each fire alarm installed in a privately owned structure. The initial registration fee must be submitted to the Fire Department within fifteen (15) days after the alarm installation or alarm takeover.

(Ord. dated 4/6/09)

8.13.020 False alarm penalties.

An alarm user shall be subject to fines, warnings and suspension or revocation of permit depending on the number of false alarm dispatches emitted from an alarm system within a rolling twelve (12) month period based upon the following schedule:

Number of false alarm dispatches	Action taken	Fines
0 - 3	Warning letter	0
4 - 6		$50
More than 7		$99

(Ord. dated 4/6/09)

Chapter 8.16
CHILD DAY CARE

Sections:

8.16.010 Definitions.

For the purpose of this chapter, the following words and phrases have the meanings as set forth in this section:

"Child care center" means any institution, establishment or place in which are received twelve (12) or more children, not of common parentage, for the purpose of caring apart from their parents or guardians on a regular basis for a part of the twenty-four (24) hours in one or more days in the week irrespective of compensation.

"Department of health and social services" mean the department of health and social services for the city as set in the Charter of the city.

"Director of health" means the director of health for the city or his duly authorized representative.

"Group day care home" means any institution, establishment or place in which are received not less than seven nor more than twelve (12) children, not of common parentage for the purpose of caring apart from their parents or guardians on a regular basis for a part of the twenty-four (24) hours in one or more days in the week irrespective of compensation.

(Ord. dated 11/7/05 (part))

8.16.020 Certificate of inspection Required.

No person, group of persons, firm, corporation, agency or other association shall operate a child care center or group day care home within the city without a child care center or group day care home certificate of inspection, respectively issued by the director of health in accordance with Section 8.16.030 of this chapter.

(Ord. dated 11/7/05 (part))

8.16.030 Application.

A. Applications for a child care center or group day care home shall be made to the director of health upon forms provided by him and shall contain the information required by this chapter and the state statutes and regulations.

B. Upon receipt of an application for a certificate of inspection, the director of health shall issue such certificate of inspection if, upon inspection and investigation he finds that the applicant, the facilities and the program meet the health, educational and social needs of children likely to attend the child care center or group day care home and it complies with the state licensing requirements established in the Connecticut General Statutes Sections 19a-77 to 19a-80 and 91a-82 to 19a-87, inclusive. Each certificate of inspection will be for a term of one year, renewable each October 1st. It may be suspended or revoked after notice and hearing as provided in Sections 8.16.070 through 8.16.090 of this chapter.

(Ord. dated 11/7/05 (part))

8.16.040 Investigation.

Any person, group of persons, firm, corporation, agency or other association desiring to operate a child care center or group day care home within the city shall designate an individual who will be held

responsible for the operation and maintenance of the child care center or group day care home. No child care center or group day care home certificate of inspection shall be issued until the director of health shall inspect the premises and other facilities of the applicant and shall have determined that the premises, personnel and equipment of such proposed establishment conforms to this chapter, proper standards of sanitation, and state, municipal public health and safety laws, regulations and ordinances. Notwithstanding the state's licensing requirements, no child care center or group day care home shall operate within city limits until after an inspection and approval of the premises by the fire marshal and building inspector of the city.

(Ord. dated 11/7/05 (part))

8.16.050 Fees.

The fee for issuance of a certificate of inspection to operate a child care center or group day care home shall be two hundred dollars ($200.00). Once issued a certificate of inspection to operate a child care center or group day care home, each establishment shall pay on or before October 1st of each subsequent year an annual inspection fee of two hundred dollars ($200.00). In the event that the application for a certificate of inspection and the receipt of payment for such certificate of inspection is not obtained by the department of health on or before October 1st, the establishment must complete a new application for inspection and the fee shall be four hundred dollars ($400.00) for such new application and renewal. The director of health may waive an inspection fee for any nonprofit organization applying under this chapter.

(Ord. dated 11/7/05 (part))

(Ord. dated 11/3/08)

8.16.060 Transferability.

No child care center or group day care home certificate of inspection shall be transferable.

(Ord. dated 11/7/05 (part))

8.16.070 Suspension.

If upon inspection of the child care center or group day care home it is determined that there is a failure to comply with the criteria established by the municipal ordinances, state or sanitary and public health laws, the director of health shall provide by certified mail, return receipt requested or hand deliver a written warning to remedy such condition within five calendar days of the date of mailing or hand delivery. If upon completion of the five days the condition has not been corrected the director of health shall serve written notice by certified mail, return receipt requested suspending the certificate of inspection and stating the particular reasons for the suspension. In the event the director of health

determines that such violations as noted in this chapter pose an immediate and substantial threat to public health or safety, he may immediately suspend the certificate of inspection for such establishment.

(Ord. dated 11/7/05 (part))

8.16.080 Reinstatement.

A suspended certificate of inspection may be reinstated in writing by the director of health when upon reinspection the conditions causing the suspension have been corrected, and there being no other violations found.

(Ord. dated 11/7/05 (part))

8.16.090 Revocation.

A. A certificate of inspection shall be automatically revoked upon failure to pay the annual inspection fee.

B. The director of health may revoke any certificate of inspection required to operate a child care center or group day care home for failure to comply with any written order of the director of health requiring compliance with this chapter, following the suspension of a certificate of inspection.

C. A written notice of the revocation shall be sent by certified mail, return receipt requested, or hand delivered to the establishment. The notice shall state that the certificate of inspection has been revoked and shall set forth the reasons for the revocation.

D. A revocation notice shall not be issued for at least five days after the suspension of the certificate of inspection.

(Ord. dated 11/7/05 (part))

8.16.100 Appeal.

An establishment may appeal a written notice suspending or revoking a certificate of inspection under Sections 8.16.070 and 8.16.090 of this chapter to the director of health. The appeal shall be in writing and must be received by the director of health within ten days after the mailing or hand delivery of the suspension or revocation notice. The director of health shall immediately notify the department of health and social services of the receipt of an appeal and such department of health and social services shall within ten days establish a date for a hearing and examine the merits of such case. After a public hearing as to the appeal the department of health and social services may vacate, modify or affirm such order.

(Ord. dated 11/7/05 (part))

8.16.110 Reissuance of certificate of inspection.

A revoked certificate of inspection required to operate a child care center or group day care home shall be reissued upon proper application and upon presentation of evidence which satisfies the director of health that the deficiencies that caused revocation have been corrected. The fee for the reissuance of a revoked certificate of inspection shall be two hundred dollars ($200.00) which fee will be renewable on October 1st.

(Ord. dated 11/7/05 (part))

(Ord. dated 11/3/08)

8.16.120 Violation Penalties.

Any person who violates any provision of this chapter shall be fined not more than two hundred dollars ($200.00) for each violation. It shall be the responsibility of the offender to abate the violation as ordered by the director of health. Each day a child care center or group day care home is operated without a certificate of inspection or in other violation of this chapter shall be deemed a separate offense.

(Ord. dated 11/7/05 (part))

(Ord. dated 11/3/08)

Chapter 8.20
FOOD AND FOOD ESTABLISHMENTS

Sections:

Article I. In General

Article II. Food Dealers

Article III. Restaurants

Article IV. Slaughtering

Article I.
In General

8.20.010 Frozen dessert license Required.

No person shall engage in the retail sale of frozen desserts from any vehicle, container or stand without a frozen dessert license issued by the department of health and social services. The term "frozen dessert," as used in this section, means and includes ice cream, French ice cream, frozen custard, ice milk, milk or ice sherbet, or any like ice or frozen milk product.

(Ord. dated 12/21/92 § 75(g); prior code § 12-1)

8.20.020 Frozen dessert license Application Term.

Application for the license required by Section 8.20.010 shall be made to the department of health and social services upon such forms as it shall prescribe. Each license shall expire upon the thirty-first day of December in each year.

(Ord. dated 12/21/92 § 75(g); prior code § 12-2)

8.20.030 Frozen dessert license Inspection of premises and facilities prerequisite to issuance.

No license required by Section 8.20.010 shall be issued until the director of health and social services or his duly authorized representative shall have inspected the facilities of the proposed licensee and shall have determined that the premises, stock, personnel and equipment of such proposed licensee accord with proper standards of sanitation and conform to state and city sanitary laws, ordinances and regulations.

(Ord. dated 12/21/92 § 75(h); prior code § 12-3)

8.20.040 Frozen dessert license Fee.

The annual fee for each license required by Section 8.20.010 shall be one hundred and fifty dollars ($150.00) payable July 1st each year.

(Ord. dated 1/18/94 (part): prior code § 12-4)

(Ord. dated 11/3/08)

8.20.050 Frozen dessert license Display.

Licenses required by Section 8.20.010 and license numbers must be displayed by each licensee in accordance with the directions of the department of health and social services.

(Ord. dated 12/21/92 § 75(g); prior code § 12-5)

8.20.060 Sandwich license Required.

No person, other than the holder of a restaurant license, shall make and sell sandwiches, whether for sale on or off the premises, without a sandwich license issued by the department of health and social services.

(Ord. dated 12/21/92 § 75(g); prior code § 12-6)

8.20.070 Sandwich license Application Term.

Application for the sandwich license required by Section 8.20.060 shall be made to the department of health and social services upon such forms as it shall prescribe. Each license shall expire upon the thirty-first day of December in each year.

(Ord. dated 12/21/92 § 75(g); prior code § 12-7)

8.20.080 Sandwich license Inspection of premises and facilities prerequisite to issuance.

No sandwich license shall be issued until the director of health and social services or his duly authorized representative shall have inspected the premises and other facilities of the proposed licensee and shall have determined that the premises, stock, personnel and equipment of the proposed licensee accord with proper standards of sanitation and conform to state and city sanitary laws, ordinances and regulations.

(Ord. dated 12/21/92 § 75(h); prior code § 12-8)

8.20.090 Sandwich license Fee.

A. The annual fee for a sandwich license shall be two hundred and fifty dollars ($250.00) payable by January 1st each year.

B. In the event that the reapplication for license is not obtained by the department of health and social services on or before January 1st, the fee shall increase to three hundred and fifty dollars ($350.00).

(Ord. dated 1/18/94 (part): prior code § 12-9)

(Ord. dated 11/3/08)

8.20.100 Sandwich license Display.

Licenses required by Section 8.20.060 and license numbers must be displayed by each licensee in accordance with the directions of the department of health and social services.

(Ord. dated 12/21/92 § 75(g); prior code § 12-10)

8.20.110 Beverage license Required.

No person shall maintain or operate within the city any cafe, club, tavern or soda fountain where any beverage of any kind is served at retail for consumption on the premises unless licensed by the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 12-11)

8.20.120 Beverage license Application.

Application for a beverage license shall be made to the director of health and social services upon such forms as he shall prescribe.

(Ord. dated 12/21/92 § 75(h); prior code § 12-12)

8.20.130 Beverage license Inspection of premises prerequisite to issuance.

No beverage license shall be issued until the director of health and social services or his duly authorized representative shall have inspected the premises and other facilities of the proposed licensee and shall have determined that the premises, stock, personnel and equipment of such proposed licensee accord with proper standards of sanitation and conform to state and city sanitary laws, ordinances and regulations.

(Ord. dated 12/21/92 § 75(h); prior code § 12-13)

8.20.140 Beverage license Fee.

A. The annual fee for each beverage license shall be payable by January 1st each year as follows:

Seating Capacity	Fee
0-50	$175.00
51-100	250.00
100+	325.00

B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before January 1st, the license shall increase to the following:

Seating Capacity	Fee
0-50	$275.00
51-100	350.00
100+	425.00

(Ord. dated 1/18/94 (part): prior code § 12-14)

(Ord. dated 11/3/08)

8.20.150 Beverage license Display required.

The beverage license must be prominently displayed by each licensee in accordance with the directions of the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 12-15)

8.20.160 Beverage license Suspension.

Failure to conform to the provisions specified in Section 8.20.130 after due notice by the director of health and social services shall be cause for suspension of the license prescribed in this article by the director. The term "director of health and social services" shall mean the legally designated health authority of the city or his authorized representative.

(Ord. dated 12/21/92 § 75(h); prior code § 12-16)

8.20.170 Beverage license Expiration.

The beverage license shall expire on the thirty-first day of December in each year.

(Prior code § 12-17)

8.20.180 Protection of meat or fish in transportation.

No person shall transport any meat or fish intended for human food through, along or upon any street unless such meat and fish are properly protected from dust by a suitable covering.

(Prior code § 12-18)

8.20.190 Milk licenses Required.

The following classes of licenses shall be issued by the department of health and social services under the provisions of this section:

A. A dealer's license which shall permit of the pasteurization or bottling of milk and the sale or distribution of the milk so pasteurized or bottled by the licensee;

B. A subdealer's license which shall permit the retail sale or distribution of milk other than by the holder of a dealer's license or a store milk license; and a store milk license which shall permit of the retail sale, by any store or other business establishment of milk which is not to be consumed on the premises of the licensee.

(Ord. dated 12/21/92 § 75(g); prior code § 12-19)

8.20.200 Milk licenses Fees.

A. The annual fee for a milk dealer's license shall be one hundred dollars ($100.00) payable by January 1st each year.

B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before January 1st, the license shall increase to two hundred dollars ($200.00).

(Ord. dated 5/21/90 (part): prior code § 12-20)

(Ord. dated 11/3/08)

Article II.
Food Dealers

8.20.210 Definition.

As used in this article, the term "director of health and social services" means the legally designated health authority of the city or his authorized representative.

(Ord. dated 12/21/92 § 75(h); prior code § 12-30)

8.20.220 License Required.

No grocery store, bakery, meat market or other establishment selling food or any other substances used or intended to be used for human consumption off the premises shall be maintained in the city unless licensed by the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 12-31)

8.20.230 License Fee.

A. The annual fee shall be charged for such license payable by July 1st of each year as follows:

Food Establishments

Area in Square feet	
0-2500	$250.00
2500+	350.00

B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before July 1st, the license fee shall increase to the following:

Food Establishments

Area in Square feet	
0-2500	$350.00
2500+	450.00

(Ord. dated 1/18/94 (part): prior code § 12-32)

(Ord. dated 11/3/08)

8.20.240 License Suspension.

Failure to conform to the provisions of this article after due notice by the director of health and social services shall be cause for the suspension of the license required by Section 8.20.220 by the director.

(Ord. dated 12/21/92 § 75(h); prior code § 12-33)

8.20.250 Inspection of premises.

Dealers in food and all other substances used or intended to be used for human consumption, and their agents, and all persons engaged in the transportation thereof shall permit the director of health and social services freely and fully to inspect the premises and all parts of the establishment, and all cattle, meat, fish, vegetables, milk and other food, and all other substances used or intended to be used for human consumption, and all utensils and equipment of the establishment.

(Ord. dated 12/21/92 § 75(h); prior code § 12-34)

8.20.260 Prima facie proof of intent to sell for consumption.

Any meat, fish, vegetable, milk or other food in the possession of or held or kept by a food dealer on the premises where such food dealer conducts his business shall, prima facie, be deemed to be possessed, held or kept with intent to sell for human consumption.

(Prior code § 12-35)

8.20.270 Condemnation of unfit food or drink.

Any meat, fish, poultry, vegetable or milk or other food or drink found by the director of health and social services in a condition which renders it unfit for use as human food shall be condemned and caused to be denatured and may be destroyed or removed.

(Ord. dated 12/21/92 § 75(h); prior code § 12-36)

8.20.280 Possession of unfit food or drink with intent to sell prohibited.

No person shall sell, offer or exhibit for sale, or have in his possession, charge or control with intent to sell, any meat, fish, vegetable, milk or any article of human food or drink, either raw, manufactured or otherwise prepared, which is putrid, decayed, infected, contaminated or unwholesome for human

consumption, or has been condemned by the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 12-37)

8.20.290 Allowing animals to enter premises prohibited.

No food dealer shall permit any dog or other animal to enter any premises where food is sold.

(Prior code § 12-38)

8.20.300 Protection from dust, animals, etc., required.

No food, other than fruits and vegetables, shall be kept, sold, offered for sale, displayed or transported unless protected from dust, dirt, flies, animals and other contamination.

(Prior code § 12-39)

8.20.310 Sale of defrosted frozen foods restricted.

No frozen foods which have been allowed to defrost or partially defrost shall thereafter be sold with the exception of frozen baked goods.

(Prior code § 12-40)

8.20.320 Wrapping of food products.

Wrapping of food products in other than sanitary wrappings or containers is prohibited.

(Prior code § 12-41)

8.20.330 Screens required.

All doors, windows and transoms opening to the outer air from stores where food is sold shall be screened from the first day of April until the last day of November. All such screened doors must open outward and be self-closing. Any other method for the exclusion of flies which is approved by the director of health and social services may be substituted for the use of screening.

(Ord. dated 12/21/92 § 75(h); prior code § 12-42)

8.20.340 Transportation of meats.

No person shall carry, convey or haul through or upon the public streets of the city any fresh meats of any kind for resale except in a closed truck or like vehicle, kept in a sanitary condition. No boned, cut or separate cuts of meat too small to bear an inspection stamp shall be delivered to any market for resale in the city. No meats shall be delivered to markets in vehicles used for any other purpose except in containers approved by the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 12-43)

8.20.350 Sanitary facilities.

All establishments where food or meat is processed, manufactured or sold shall be provided with toilet and hand-washing facilities of a type approved by the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 12-44)

8.20.360 Equipment sanitation, temperature requirements.

A. No person shall keep any article intended for sale for human consumption in any receptacle or container that is in an unclean or insanitary condition. All readily perishable food and drink shall be kept at or below fifty (50) degrees Fahrenheit.

B. All utensils and equipment used in the processing or handling of food or meat in any establishment where food or meat is processed, manufactured or sold shall be kept in a clean and sanitary condition. Facilities for the cleansing and bactericidal treatment of utensils and equipment shall be of a type approved by the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 12-45)

8.20.370 Employee sanitation requirements.

Persons employed in any establishment where food or meat is processed, manufactured or sold shall wear clean washable outer garments and shall keep their hands and fingernails clean at all times while engaged in handling food, drink, utensils or equipment. No employee shall return from a toilet room without washing his hands, and notice of this requirement shall be posted in each employee's toilet room.

(Prior code § 12-46)

8.20.380 Required materials for bakeries' floors.

The floors of all bakeries in which food is prepared or utensils are washed shall be of concrete, terrazzo,

ceramic tile and hardwood or equal.

(Prior code § 12-47)

8.20.390 Materials for walls of bakeries licensed originally after March 22, 1960.

In the case of a bakery licensed after March 22, 1960, for the first time, the washable surface for walls to the splash level of all rooms in which food is prepared or utensils are washed shall be of ceramic tile, glazed tile, plastic tile and/or equal.

(Prior code § 12-48)

Article III.
Restaurants

8.20.400 License Required.

No person shall engage in the operation of any restaurant in the city without a restaurant license issued by the department of health and social services.

(Ord. dated 12/21/92 § 75(g); prior code § 12-75)

8.20.410 License Application Term.

Application for a restaurant license shall be made to the department of health and social services upon such forms as it shall prescribe. Each license shall expire upon the thirty-first day of December in each year.

(Ord. dated 12/21/92 § 75(g); prior code § 12-76)

8.20.420 License Inspection of premises and facilities prerequisite to issuance.

No restaurant license shall be issued until the director of health and social services or his duly authorized representative shall have inspected the premises and other facilities of the proposed licensee and shall have determined that the premises, stock, personnel and equipment of the proposed licensee accord with proper standards for sanitation and conform to state and city sanitary laws, ordinances and regulations.

(Ord. dated 12/21/92 § 75(h); prior code § 12-77)

8.20.430 License Fee.

A. The annual fee for a restaurant license shall be payable by January 1st of each year as follows:

Restaurants

Seating Capacity	
0-50	$200.00
51-100	250.00
100+	350.00

B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before January 1st, the license shall increase to the following:

Restaurants

Seating Capacity	
0-50	$300.00
51-100	350.00
100+	450.00

(Ord. dated 1/18/94 (part): prior code § 12-78)

(Ord. dated 11/3/08)

8.20.440 License Display.

Restaurant licenses and license numbers must be displayed by each licensee in accordance with the directions of the department of health and social services.

(Ord. dated 12/21/92 § 75(g); prior code § 12-79)

8.20.450 Utensils Cleaning generally.

All multiuse eating and drinking utensils must be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage by one of the following methods only, so as to be free from bacilli and to have a total bacteria count of not more than one hundred (100) per utensil as determined by test by the director of health and social services or his agent:

A. With a properly operating dishwashing machine whose plumbing complies with all city plumbing

ordinances and is so designed and installed as to prevent contamination of the water supply through interconnections and back-siphonage. Every dishwashing machine must be kept clean. Its pumps and the wash and rinse sprays or jets must direct a forceful stream of water that will reach all of the utensils when they are properly racked. Its wash tank water must be changed during operation as often as is found necessary to keep it reasonably clean. Each dishwashing machine must be provided with:

1. A properly operating automatic detergent dispenser which will maintain at all times an effective concentration of detergent;

2. Thermostatic control of the temperature of the wash water as well as that of the rinse water. The wash water temperature must be one hundred thirty (130) degrees Fahrenheit and the rinse water temperature must be one hundred eighty (180) degrees Fahrenheit;

3. Thermometers in both the wash and rinse waterlines and in such a location as to be readily visible. Adequate hot water heating and storage facilities must be available.

B. With a three-compartment sink. Each sink must be of a size sufficient for its use and have its own supply of running hot and cold water. The first sink must be used for washing, the second sink must be used for plain rinsing and the third sink must be used for immersion in a chemical sanitizer. All washed and rinsed multiuse eating and drinking utensils must remain immersed in the chemical sanitizers solution for at least two minutes. The chemical sanitizer used must meet with the approval of the director of health and social services. The chemical sanitizer solution in the third sink must be of sterilization strength and so maintained at all times.

C. Any other method approved by the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 12-80)

8.20.460 Utensils Air-drying after sanitization.

All multiuse eating and drinking utensils must be air-dried following sanitizing.

(Prior code § 12-81)

8.20.470 Utensils Each cleaning location to meet requirements of Section 8.20.450.

Any place where food and beverages are served to the public that has more than one location within the establishment where multiuse eating and drinking utensils are washed must meet the requirements of Section 8.20.450 by one of the aforesaid methods at each such location.

(Prior code § 12-82)

8.20.480 Utensils Storage after sanitization.

After sanitization, utensils, cookingware and serviceware shall be stored in a clean, dry place, protected from flies, dust and other contamination and shall be handled in such a manner as to prevent contamination insofar as practicable.

(Prior code § 12-83)

8.20.490 Utensils Single service.

Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used and shall be handled in a sanitary manner. Drinking straws, toothpicks, crackers, mints and/or candy shall be wrapped with a sanitary protective covering for individual use.

(Prior code § 12-84)

8.20.500 Sugar containers.

All sugar served to the public must meet one of the following requirements:

A. Shall be in tablet form, and each tablet shall be wrapped with a sanitary protective covering for individual use;

B. Shall be in individually sealed packets;

C. Shall be poured from a suitable glass container with a tight-fitting metal or plastic cover equipped with a pouring spout which shall have a self-sealing cover.

(Prior code § 12-85)

8.20.510 Refrigeration of dairy products.

No dairy products for public consumption shall be allowed to remain unrefrigerated when not in use.

(Prior code § 12-86)

8.20.520 Revocation of license.

Any person found to be in violation of any of the provisions of this article shall receive a warning to remedy such condition and upon his failure to do so, within a reasonable time, the director of health and

social services shall revoke his license to operate.

(Ord. dated 12/21/92 § 75(h); prior code § 12-87)

Article IV.
Slaughtering

8.20.530 Place of slaughtering.

No person shall slaughter any cattle, sheep or swine except in duly licensed slaughterhouses or in slaughterhouses under United States Government inspection.

(Prior code § 12-99)

8.20.540 Inspection Prior to slaughter.

No meat shall be sold for human food, or offered for sale, or held with the intention of selling the same unless the animal furnishing the meat was examined by an agent of the department of health and social services within twenty-four (24) hours previous to the time of slaughter, except such animals or such carcasses as have been inspected or exempted by the United States Government or inspected as set forth in Section 8.20.550.

(Ord. dated 12/21/92 § 75(g); prior code § 12-100)

8.20.550 Inspection After slaughter.

Carcasses of animals killed on any farm and to be sold in the city, not inspected previous to slaughter, may be offered for inspection by an agent of the department of health and social services on the condition that carcasses so presented have the head, heart, liver and lungs held by the natural attachments. Such carcasses, if found to be free from disease and otherwise sound and healthful, shall be passed and stamped. If found to be diseased, unsound, unwholesome or otherwise unfit for human food, they shall be condemned for food purposes and destroyed. For such inspection a fee, to be fixed by such board, shall be paid, but not to exceed ten cents ($0.10) for any animal.

(Ord. dated 12/21/92 § 75(g); prior code § 12-101)

8.20.560 Inspection Notice to department of health and social services Hours.

All owners or persons having animals in charge for slaughter shall notify the agent of the department of health and social services and give him an opportunity to examine the same by daylight. In case the suitability of the animal for food cannot be determined by the antemortem examination, the owner or

person in charge of the animal must notify the agent of the board to be present to examine the animal when killed; the slaughter of such animals shall take place only in the daylight hours of eight a.m. and five p.m., except that when daylight saving time is operative the same shall take place between the hours of seven a.m. and four p.m.

(Ord. dated 12/21/92 § 75(g); prior code § 12-102)

8.20.570 Inspection Marking.

All animals or carcasses of the same, when passed or approved by the agent of the department of health and social services, shall be marked, tagged or labeled; and the mark, tag or label placed thereon or affixed thereto shall bear the words, "Approved, department of health and social services." No such mark, tag or label shall be attached to any animal or carcass or portion thereof, except by an agent of such board.

(Ord. dated 12/21/92 § 75(g); prior code § 12-103)

8.20.580 Sale of condemned animals prohibited.

No person shall sell or offer to sell any cattle, calves, swine, sheep, goats, fish, fowl or poultry, or the meat thereof, which any agent of the department of health and social services or United States Government inspector has condemned.

(Ord. dated 12/21/92 § 75(g); prior code § 12-104)

8.20.590 Condemnation of unfit meat.

In case the agent of the department of health and social services decides that a carcass or portion of a carcass is not suitable for human food, he shall condemn the same and determine the method of its disposal.

(Ord. dated 12/21/92 § 75(g); prior code § 12-105)

8.20.600 Approval of unfit animals prohibited.

No animal shall be passed or approved by the agent of the department of health and social services as suitable for human food when it is suffering from any disease or injury which causes a feverish condition or an elevation of temperature, or when it is badly bruised, or injured, or shows tumors, abscesses or suppurating sores, or when it is too emaciated or weak to produce wholesome food, nor the carcass of any unborn animal, nor the carcass of any calf weighing less than fifty (50) pounds when dressed, nor any carcass which after cooling shows any greenish-yellow discoloration, nor the carcass of

any animal which dies from accident or disease, or which had not been properly killed and bled. The carcasses of all calves when dressed shall be weighed by the owner in the presence of an agent of such board.

(Ord. dated 12/21/92 § 75(g); prior code § 12-106)

8.20.610 Marking of diseased animals.

Any person bringing in to the city the carcass of any sheep, swine, goat or cattle having died from accident or disease shall promptly notify the department of health and social services, the director of health and social services or some agent of the department of health and social services where such carcass can be seen by an agent of the board, who shall immediately mark or label the carcass "unfit for food;" and no person shall use such carcass or any portion thereof in the manufacture of a food product or have the same in his possession with the intention of so using it.

(Ord. dated 12/21/92 § 75(g), (h); prior code § 12-107)

8.20.620 Fees for use of municipal slaughterhouse.

A fee shall be paid to the department of health and social services for the use of the slaughterhouse owned by the city and for the examination of animals therein, which fee shall be fixed by such board, but shall not exceed for cattle, each, fifty cents ($0.50); calves, each, twenty-five cents ($0.25); hogs, sheep and goats, each, fifteen cents ($0.15); unless cold storage is furnished by the city; and for the examination of animals at other slaughterhouses licensed by such board, a fee to be fixed by such board shall be paid, not exceeding ten cents ($0.10) for any animal.

(Ord. dated 12/21/92 § 75(g); prior code § 12-108)

8.20.630 Regulatory authority of department of health and social services.

The department of health and social services shall have the power and authority to adopt such rules and regulations as may from time to time become necessary to carry out the provisions of this chapter.

(Ord. dated 12/21/92 § 75(g); prior code § 12-109)

8.20.640 License required for rendering plants, etc.

No person shall engage in the disposal of dead animals, bone-boiling, bone-cooking, fat-rendering, gluemaking, or rendering impure and offensive animal matter without a license from the department of health and social services.

(Ord. dated 12/21/92 § 75(g); prior code § 12-110)

Article V.
Itinerant Food Vendors

8.20.650 Food vending license.

A. No person, firm or corporation shall operate or maintain within the city an itinerant food vending business, servicing food or drink from any conveyance, without fixed location and without connections to water supply and sewage disposal systems, except after compliance with Section 19-13-B-48 of the Connecticut Public Health Code.

B. The annual fee for each itinerant food vending unit shall be two hundred and fifty dollars ($250.00). All licenses will be due by March 31st. A temporary itinerant vending food license of five days at a fee of one hundred dollars ($100.00) can be obtained.

C. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before March 31st the license shall increase to three hundred and fifty dollars ($350.00).

(Ord. dated 10/17/05: Ord. dated 7/5/05: Ord. dated 1/18/94 (part): prior code § 23-22)

(Ord. dated 11/3/08)

Chapter 8.24
FOOD HANDLERS

Sections:

8.24.010 Regulations regarding food handlers.

All persons engaged in the handling, preparation or distribution of any food or drink shall wear clean outer garments and shall keep their hands clean at all times while engaged in the handling of food, drink, utensils or equipment. They shall take suitable precautions to prevent loose hairs from contaminating any article of food or drink intended for human consumption.

(Prior code § 12-60)

8.24.020 Physical examinations Generally.

All persons engaged in the handling, preparation or distribution of any food or drink shall, within ten days of the commencement of their employment and annually thereafter, submit to any physical examination, including an X-ray of the chest and any laboratory analysis which the director of health and social services may require; and no owner, proprietor, manager or agent of any food-handling establishment shall employ or retain in his employ any person who refuses to submit to the required examination.

(Ord. dated 12/21/92 § 75(h); prior code § 12-61)

8.24.030 Physical examinations Record.

All food handlers described in Section 8.24.020 shall have on their persons while on duty or filed with their employer a current record of the completion of their physical examinations required by the director of health and social services; and no person may be employed in a food-handling establishment unless such record is at all times available to the director or his duly authorized representative.

(Ord. dated 12/21/92 § 75(h); prior code § 12-62)

8.24.040 Persons not to handle food at certain times.

No person knowingly suffering from a sore throat, discharging sores or any disease of a communicable form, or who is a carrier of any such disease, and no person of unclean habits, person or clothing, or whose mentality is incapable of grasping the essentials of cleanliness, shall engage in any occupation which requires the handling, or the supervision of the handling, of food for others or of any dishes or articles used in the manufacture, storage, preparation, service or distribution of food or drink in the city.

(Prior code § 12-63)

8.24.050 Procedure in regard to suspected transmitters of infection.

When suspicion arises as to the possibility of transmission of infection from any food handler as described in Section 8.24.020, the director of health and social services is authorized to require any and

all of the following measures:

A. The immediate exclusion of any such person from all food preparation or service operations;

B. The immediate discontinuance of the operations concerned until no further danger of disease outbreak exists, in the opinion of the director;

C. Adequate medical examinations of the person and of his associates, with such X-ray and laboratory analysis as may be required by the director.

(Ord. dated 12/21/92 § 75(h); prior code § 12-64)

Chapter 8.28
FIRE PREVENTION REGULATIONS

Sections:

8.28.010 Inspections by fire chief Fees established.

A. Liquor Licenses.

1. The fire marshal of the city shall inspect or cause to be inspected any property applying for a new or existing liquor license. A one hundred dollars ($100.00) fee for all liquor permits allowing the retail sale, serving and consuming on the property shall fall within the following guidelines:

Boat permit;

Cafe permit;

Charitable organization permit;

Club permit;

Nonprofit club permit;

Coliseum permit;

Coliseum concession permit;

Concession permit;

Golf country club permit;

Hotel permit;

Nonprofit public art museum permit;

Nonprofit theater permit;

Resort permit;

Restaurant permit;

Restaurant permit beer only;

Restaurant permit wine and beer only;

Restaurant permit catering establishment;

Special sporting facility permit;

Tavern permit;

Temporary permit for beer only;

University permit;

University liquor permit;

Bowling establishment permit;

Nonprofit public television corporation permit;

Airport restaurant permit;

Airport bar permit.

2. Inspection of such premises shall conform to the current Connecticut Fire Safety code, all other

current Connecticut General Statutes and current N.F.P.A. publications. Such inspection shall be carried out simultaneously with other required inspections. All separate fee schedules shall be adhered to.

B. Public Hall. The fire marshal of the city shall inspect, or cause to be inspected, annually all assembly occupancies (minimum seventy-five (75) occupants) rented to the public for social functions or parties, shall require a license to be issued by the Bridgeport fire marshal for such license an annual fee of one hundred dollars ($100.00), payable upon application, shall be made. This annual inspection shall coincide with any other licenses, such as liquor license, health certificate, vendor permits with LPG tanks only. Any applications for vendor permits submitted to the fire marshal shall be accompanied with a twenty-five dollars ($25.00) fee. Also, the cart or vehicle containing such tanks shall be brought to the fire marshal's office for inspection at this time. Appointments shall be made in advance for this inspection which will include compliance with NFPA 58, standard for the storage and handling of liquified petroleum gases. Such inspection shall be carried out simultaneously with other required inspections. All separate fee schedules shall be adhered to.

C. Day Care Centers. The fire marshal of the city shall inspect or cause to be inspected annually all day care centers in which more than twelve (12) clients receive care, maintenance and supervision by other than relatives or legal guardians for less than twenty-four (24) hours per day, to insure the Life Safety requirements. An annual fee of one hundred dollars ($100.00) will be required prior to the annual fire marshal's inspection of all day care centers. Such inspection shall be carried out simultaneously with other required inspections. All separate fee schedules shall be adhered to.

D. Group Day Care Homes. The fire marshal of the city shall inspect or cause to be inspected annually all group day care homes to insure the compliances with the Connecticut Life Safety Code in which at least seven, but not more than twelve (12) clients receive care, maintenance and supervision by other than their relatives or legal guardians for less than twenty-four (24) hours per day. An annual fee of one hundred dollars ($100.00) will be required prior to the annual fire marshal's inspection of all group day care homes. Such inspection shall be carried out simultaneously with other required inspections. All separate fee schedules shall be adhered to.

E. Lodging and Rooming Houses.

1. The fire marshal of the city shall inspect or cause to be inspected annually all existing lodging and rooming houses, in accordance with the codes and standards of the state of Connecticut Life Safety Codes, issue an approval to the Housing Code enforcement agency to license such occupancy upon compliance of codes.

2. Such application for inspection to the Bridgeport fire marshal's office shall be accompanied by a one hundred dollars ($100.00) fee made payable to the fire marshal's office prior to scheduling of such inspections. Such inspection shall be carried out simultaneously with other required inspections. All separate fee schedules shall be adhered to.

F. Phase I Site Assessments. The fire marshal of the city shall provide information as requested for Phase I site assessments. Such requests shall be accompanied by a fee of one hundred and fifty dollars ($150.00) per site as recorded. This assessment will include a search of all our data bases, including hazardous materials files, incident responses and past fire reports. Upon completion of this search, copies of all records found would be forwarded, accompanied by a letter advising that the information given is based on file records only. This information may not accurately reflect conditions as they currently exist at this property. You may wish to contact other city, state and federal agencies for further information regarding the environmental conditions of this property.

G. Commercial Kitchen Exhaust Hoods, Ducts and Extinguishing Systems. The fire marshal of the city shall inspect or cause to be inspected annually all commercial kitchen hoods and duct systems, and their related extinguishing systems, according to the codes and standards as adopted by the state of Connecticut. All such annual inspections shall be accompanied by a fee of fifty dollars ($50.00) made payable to the Bridgeport fire marshal's office. Such inspection shall be carried out simultaneously with other required inspections. All separate fee schedules shall be adhered to.

H. Dry Cleaning Establishments. The fire marshal of the city shall inspect or cause to be inspected all dry-cleaning establishments in his jurisdiction annually in accordance with the codes and standards as set forth in the General Statutes of the state of Connecticut and shall collect one hundred dollars ($100.00) payable to the Bridgeport fire marshal's office.

I. Carnivals. The fire marshal of the city shall inspect or cause to be inspected all carnival events in his jurisdiction prior to giving approval to operate. All such parties sponsoring events using tents, portable cooking devices, rides, amusements and any other such activity or combination or activities for any reason or cause shall schedule an inspection with the fire marshal's office at least thirty (30) days prior to the scheduled event. Also, thirty (30) days prior to the scheduled event, a plot plan showing all rides, booths, concessions, and amusements shall also be submitted, along with all other relevant documentation; and a fee of one hundred dollars ($100.00) shall be paid to the Bridgeport fire marshal's office at that time.

J. Hotels. The fire marshal of the city shall inspect or cause to be inspected annually all hotels within his jurisdiction. These premises will be inspected according to the codes and standards as set forth by the state of Connecticut Life Safety Code. For the purpose of definition, a hotel is a building or a group of buildings under the same management in which there are more than sixteen (16) sleeping accommodations primarily used by transients for lodging with or without meals, whether designated as a hotel, inn, club, motel or by any other name. So-called apartment hotels shall be classified as hotels because they are potentially subject to the same transient occupancy as hotels. Upon scheduling of an inspection of a hotel, a fee shall be collected of one hundred dollars ($100.00) payable to the Bridgeport fire marshal's office. Such inspection shall be carried out simultaneously with other required inspections. All separate fee schedules shall be adhered to.

K. Cargo Tank Motor Vehicles. The fire marshal of the city shall inspect or cause to be inspected

annually any motor vehicle registered within his jurisdiction that is used for the storage or transportation of any bulk flammable or combustible liquids, liquified petroleum gas, or liquified natural gas, or any other hazardous materials for the purpose of issuing a certificate as directed by the provisions of the Connecticut General Statutes 29-322, 29-332 and 29-339. A fee of one hundred dollars ($100.00) per sticker shall be paid to the Bridgeport fire marshal's office.

L. Pressure Test for Gas Piping. The fire marshal of the city shall inspect when, as a result of fire occurring in a building or structure, or in the proximity of a building or structure, or any other installation involving natural gas piping devices, appliances or other related equipment, the Bridgeport fire department officer in charge of such emergency situation, so orders the shut-down or cessation of natural gas flow through any piping and a natural gas utility requests permission for the Bridgeport fire department to restore service within their jurisdiction, then the Bridgeport fire marshal or his designee shall witness the pressure test of that gas piping, provided that such test is performed by a properly licensed plumber as approved by the natural gas utility. Such pressure test shall be in accordance with the National Fire Protection Association Standard 54, National Fuel Gas Code, as referenced and adopted by the state of Connecticut and a fee of fifty dollars ($50.00) shall be collected by the fire marshal of the city or his designee and shall be made payable to the Bridgeport fire marshal's office.

M. Vendor Permits/LPG Tanks. The fire marshal of the city shall inspect or cause to be inspected any carts or vehicles of vendor permit applicants which use liquified petroleum gas as a fuel for cooking. Each liquified petroleum gas tank and piping shall be installed and mounted per NFPA 58 Standards. At the time of application, a fee of twenty-five dollars ($25.00) shall be made payable to the Bridgeport fire marshal and the cart or vehicle brought to the fire marshal's office parking lot for inspection.

(Ord. dated 7/5/05: Ord. dated 12/21/92 § 75(b); Ord. dated 8/1/94 (part): prior code § 11-22)

(Ord. dated 11/3/08)

8.28.020 Inspection of premises.

The fire chief, or any person acting for him or under his jurisdiction, or any member of the fire department so instructed, shall have the right to enter all premises, buildings and structures for the purpose of examining and inspecting the same to ascertain the condition therein of any substance, goods, wares, merchandise, electric wiring, fixtures, appliances, apparatus or machinery which may have a tendency to create danger of, from or in case of fire, or cause personal injury or loss of life to any person; also with regard to condition of entrances and exits or the size, arrangement and efficiency of any and all appliances for protection against fire.

(Ord. dated 12/21/92 § 75(b); prior code § 11-2)

8.28.030 Orders to correct violations found upon inspection.

A. If upon any inspection as provided in Section 8.28.020 there shall be found any condition which may have a tendency to create danger of, from or in case of fire or cause personal injury or loss of life to any person or which would not afford reasonable access to the exits in case of fire or which would unnecessarily and unreasonably interfere with the members of the fire department in the exercise of their duties in case of fire, the fire chief, or any person acting for him or under his jurisdiction, or any member of the fire department instructed to make such inspection, may order in writing the correction of such condition.

B. If upon such inspection it shall be found that the appliances reasonably necessary for protection against or in case of fire are in an improper condition, insufficient in size, number or otherwise, or are wholly wanting, the fire chief, or any person acting for him or under his jurisdiction, or any member of the fire department instructed to make such inspection, shall order that such appliances be placed in proper condition and rendered reasonably sufficient for such purpose; and in the case of absence or insufficiency in the number of such appliances, he shall order the installation of sufficient appliances for such protection. Nothing in this section shall be construed so as to conflict with the General Statutes of the state.

C. Such orders referred to in this section shall be in writing and directed to the owner, lessee or occupant of the premises, building or structure or to the person in control of the substances, goods, wares, merchandise, electrical wiring, fixtures, appliances, apparatus or machinery therein referred to or to the owner thereof, as the circumstances may require; and it is made the duty of such person so notified to comply with such orders with all reasonable dispatch and diligence.

(Ord. dated 12/21/92 § 75(b); prior code § 11-3)

8.28.040 Requirements as to cellars.

A. All buildings used for business purposes shall have at least one outside entrance to their cellar, such entrance to be free from obstructions. All cellarways shall be kept clean of papers, excelsior and all inflammable materials. No accumulation of refuse and no papers, unless bales into not more than ten bales, shall be stored in any cellar.

B. No basement or cellar shall be used for storage purposes unless the passageway is left clean and open. All dwellings and tenement houses shall have at least one outside entrance to the cellar thereof, and no ashes, paper or inflammable material shall be permitted to accumulate therein. No person shall use any tenement or private residence for the storage of such articles as hay, grain, burlap or any other inflammable material. This section shall not be so construed as to conflict with Section 19-343 of the General Statutes.

(Prior code § 11-4)

8.28.050 Disposition of ashes.

No person shall deposit ashes on any wooden floor or against any wooden partition in any building, or in any wooden box or barrel in any building, or place ashes before or upon any fire escape, balcony or landing intended as a means of escape from fire. It shall be the duty of the members of the fire or police department who shall discover any fire escape encumbered in such manner to report forthwith to the fire chief. This section shall not be so construed as to conflict with Section 19-343 or 19-386 of the General Statutes.

(Ord. dated 12/21/92 § 75(b); prior code § 11-5)

8.28.060 Obstruction of fire escapes.

No person shall place any encumbrance whatsoever before or upon any fire escape, balcony or landing intended as a means of escape from fire. It shall be the duty of the members of the police or fire department who shall discover any fire escape encumbered in any manner to report forthwith to the fire chief. This section shall not be so construed as to conflict with Section 19-343 or 19-386 of the General Statutes.

(Ord. dated 12/21/92 § 75(b); prior code § 11-6)

8.28.070 Notice of violations.

It shall be the duty of the fire chief, or any person acting for him or under his jurisdiction, to notify in writing any owner or lessee violating any of the provisions of Sections 8.28.040 through 8.28.060 or maintaining conditions which shall constitute a fire menace or hazard.

(Ord. dated 12/21/92 § 75(b); prior code § 11-7)

8.28.080 Investigation of fires.

It shall be the duty of the fire chief, or any person acting for him or under his jurisdiction, or any member of the fire department so designated by the fire chief, to investigate and examine into the cause, circumstances or reason of any fire by which any building, vessel or other property shall be burned, either wholly or in part. Upon evidence of arson, such inspector shall reduce his findings to writing and shall submit such report with the names and addresses to any witnesses to the fire chief.

(Ord. dated 12/21/92 § 75(b); prior code § 11-8)

8.28.090 Chimney fires.

It shall be the duty of the owner of any building having a chimney fire to have his chimney flue cleaned within three days after such fire. If the fire department shall be called to such premises a second time

and the chimney shall not have been cleaned, the owner of such building shall be punished as provided in Chapter 1.12.

(Prior code § 11-9)

8.28.100 Prohibited activities in regard to buildings containing hay or straw.

No person shall carry into any barn, hayloft or building containing hay or straw, any lighted candle or lamp not enclosed in a lantern or use any cigar, cigarette or pipe therein.

(Prior code § 11-10)

8.28.110 Restrictions in regard to theaters, etc.

A. All public places, such as theaters, picture shows, assembly halls and places of public amusement, shall, under the jurisdiction of the fire chief, be subject to the following provisions:

1. The exits, aisles, stairways and lobbies shall be kept free from obstructions; and no refuse, paper or inflammable material shall be permitted to accumulate in any part of said buildings.

2. If the fire chief, or any person acting for or under him, shall find aisles, lobbies, stairways or exits blocked in any manner, or exit lights out, he shall report at once to the manager of said building, who shall cause such conditions to be remedied at once.

3. If the fire chief, or any person acting for or under him, shall find any theater, picture show or other public place of amusement to be overcrowded, and in his opinion dangerous in such condition to the safety of its patrons, he shall have the full right, power and authority to prevent further admission thereto.

B. The provisions of this section shall not be so construed as to conflict with Sections 29-57, 19-377 and 53-199, as amended, of the General Statutes.

(Ord. dated 12/21/92 § 75(b); prior code § 11-11)

8.28.120 Fire alarm system required for certain theaters.

The owner of every building which is used in whole or in part as a theater, provided such theater has a seating capacity for one thousand (1,000) people or more, shall install on the stage of such theater a private fire alarm box, which shall be connected with the fire alarm system of the city. The board of fire commissioners shall, as soon as such fire alarm box is provided, designate a number for the same, and cause it to be properly connected at the expense of the city with the fire alarm system of the city. Every

person who shall violate the provisions of this section shall upon conviction be punished as provided in Chapter 1.12 of this code; and if the violation shall continue for one month after such conviction, each subsequent month's delay in complying with the provisions of this section shall be deemed a separate offense.

(Prior code § 11-12)

8.28.130 Smoking in public restricted.

A. Smoking is prohibited and is unlawful in theaters, schools and public halls. The foregoing restriction shall not be deemed to prohibit smoking in a separate room or space specially provided for the purpose when such room or space is approved by the chief of the fire department.

B. Smoking is prohibited and is unlawful in factories, workshops, mercantile establishments, on docks, wharves and in warehouses where the material being handled in and about such buildings or other premises is of such an inflammable nature as to be readily ignitable, except that smoking may be permitted in a separate room or space specially provided for the purpose when such room or space is approved by the chief of the fire department.

C. The fire chief shall order the owner or occupant to post approved signs or placards in each room, building, structure or place in which such prohibitions of smoking shall be enforced. It is unlawful for any person to remove any such placard or to smoke in any such placarded place.

D. No person shall carelessly discard or drop a lighted match, cigar, cigarette or other burning substance in combustible material or in close proximity thereto.

(Ord. dated 12/21/92 § 75(b); prior code § 11-13)

8.28.140 Records of inspections.

It shall be the duty of the fire chief to cause to be kept an accurate record of all inspections made, complaints investigated and orders made; and he shall annually report the same to the board of fire commissioners on or before the first day of June.

(Ord. dated 12/21/92 § 75(b); prior code § 11-14)

8.28.150 Occupancy after a fire.

When there shall have been a fire in any building or structure in which people either live or work, it shall be the duty of the chief of the fire department, or his agent at the scene, immediately after the fire is extinguished, to examine the premises and if, in his opinion, the premises are in a dangerous condition, he shall notify the building department and the health officer of the city, who shall forthwith examine

such premises to determine whether the same are fit for occupancy.

(Ord. dated 12/21/92 § 75(b); prior code § 11-15)

8.28.160 Access to clubs and poolrooms.

A. All social, political or athletic clubs or poolrooms operating under charters or licenses issued by either the city or the state shall be open for inspection by the fire and police departments at all times, and under no circumstances shall the main entrance to such premises be locked or barred so as to prevent an inspection by police or fire personnel when three or more members or guests are within such premises, nor shall any portion of the interior be locked or barred so as to prevent an immediate inspection.

B. Any person who shall hinder police or fire officials by the use of locks or bars and prevent such officials from discharging their duties shall, upon conviction, be punished as provided in Chapter 1.12 of this code.

C. The owner of any building wherein such social, political or athletic club or poolroom is located shall, within seven days after receiving notice that a police or fire official could not gain immediate access to such premises, remove such lock, bar, door or other implement used to block the entrance and make the premises available as set forth in subsection A of this section. Any owner of a building who shall not comply with such request shall, upon conviction, be punished as provided in subsection B of this section.

D. Nothing in this section shall be construed as to conflict with Sections 29-52, 29-55, 53-165 or 54-198 of the General Statutes.

(Prior code § 11-16)

8.28.170 Smoke detection Where required.

All hotel, inn or motel rooms utilized for sleeping and each unit in all residential housing designed to be occupied by two or more families, including, but not limited to, apartment houses, condominiums and cooperatives shall contain at least one operable smoke detector in the vicinity of a sleeping area. All hotels, inns, motels and said residential housing designed to be occupied by two or more families, including, but not limited to, apartment houses, condominiums and cooperatives shall also have at least one operable smoke detector at the head of each stairway.

(Prior code § 11-17)

8.28.180 Smoke detection Fine for failure to install.

Any owner of said buildings or units who fails to install said detector in accordance with Section 8.28.170 shall be subject to a fine of one hundred dollars ($100.00) for each detector he fails to install and each day that a violation continues shall be deemed a separate offense. Anyone who removes or disassembles a detector, removes the batteries therefrom or in any way intentionally makes any such detector inoperable, except while conducting repairs on it or replacement of it, shall be subject to a fine of five hundred dollars ($500.00).

(Prior code § 11-18)

8.28.190 Smoke detection Duty of tenant.

It shall be the duty of a tenant during his tenancy to report to the owner of his rental unit or the agent of the owner if any detector in his unit becomes inoperable after the commencement of his tenancy for the owner to be responsible for the replacement or repair of said detector under Sections 8.28.170 through 8.28.210.

(Prior code § 11-19)

8.28.200 Smoke detection Enforcement.

Enforcement of Sections 8.28.170 through 8.28.210 is lodged with the fire department and the housing and commercial code enforcement office.

(Prior code § 11-20)

8.28.210 Smoke detection Distribution of ordinance.

Copies of the ordinance from which Sections 8.28.170 through 8.28.210 derived, printed in both English and Spanish, shall be mailed with all tax bills mailed by the tax collector for second quarter real estate and personal property taxes on the list of October 1, 1980.

(Prior code § 11-21)

8.28.220 Use of cooking/heating devices prohibited.

For other than one and two family dwellings, no hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating or any other purpose, shall be used or kindled on any balcony or under any overhanging portion or within ten feet of any structure.

(Ord. dated 3/3/08)

Chapter 8.32
FIRE DISTRICTS

Sections:

8.32.010 Fire districts Established.

Pursuant to and in conformity with section 301.0 of the State Building Code, there are created the following fire districts for the city for the purpose of control of use and construction of buildings:

A. Fire District No. 1. Fire District No. 1, inner fire limits, shall comprise that portion of the city included within the following limits:

1. Area 1. Commencing to the south bounded along the Connecticut Turnpike (Interstate Route 95) running easterly to the harbor; thence northerly along the harbor to the center line of Pequonnock River northerly to the center line of East Washington Avenue; thence westerly to the railroad tracks; thence southerly to a point 150 feet north of the northerly line of Franklin Street; thence westerly to Routes 8 and 25; thence southerly along a line parallel to the 150 feet west of the westerly line of Main Street; thence westerly along the center line of Congress Street to Routes 8 and 25.

2. Area 2. Starting at a point on Central Avenue 150 feet south of Barnum Avenue running easterly along the line to the center line of Elizabeth Street, southerly to Cross Street, easterly along the center line of Cross Street, southerly along the center line of Bishop Avenue, westerly along the center line of Connecticut Avenue, northerly 700 feet along the center line of Hollister Avenue; then westerly to the center line of Union Avenue to the railroad tracks, westerly to the center line of Central Avenue, proceeding north to a point 150 feet south of Barnum Avenue.

3. Area 3. Starting at a point at the United States Harbor Line and 150 feet south of Stratford Avenue, easterly along this line to the center line of Seaview Avenue, southerly to Central Avenue, northerly 150 feet along the center line of Central Avenue from this point along a line 700 feet easterly, southerly to the harbor; then northwesterly and northerly along the harbor line.

4. Area 4. Starting at a point at the center line of Crescent Avenue and Helen Street, easterly along this line to Seaview Avenue then northerly along the center line of Seaview Avenue crossing Boston Avenue and continuing northerly along the center line of Bond Street to the end and 150 feet beyond; then westerly along a line to the railroad tracks; then southerly to the center line of Grant Street; then westerly along this line to Helen Street; then southerly along the center line of Helen Street to Crescent Avenue.

5. Area 5. Starting at a point at the center line of Cherry Street and Pine Street easterly along the center

line of Cherry Street and the Connecticut Turnpike (Interstate Route 95) to Hancock Avenue then southerly along the center line of Hancock Avenue to Cedar Creek, westerly along Cedar Creek and the center line of Morris Street to Bostwick Avenue; then northerly along the center line of Bostwick Avenue to Osborne Street, westerly along the center line of Osborne Street to Bird Street; then northerly along the center line of Bird Street to Spruce Street, westerly along Spruce Street to St. Stephens Road, northerly along the center line of Peerless Place to Pine Street, northerly along the center line of Pine Street to Cherry Street.

B. Fire District No. 2. Fire District No. 2 shall comprise that portion of the city included within the following limits:

1. Area 1. Starting at a point at the Bridgeport City Line 150 feet from the center line of Fairfield Avenue continuing northeasterly around Ash Creek to Poland Street, southerly along the center line of Poland Street to a point 150 feet from the center line of Fairfield Avenue; then continuing northeasterly along this line to Clinton Avenue; then easterly to the center line of Park Avenue, continuing north to a point 150 feet north of the center line of Washington Avenue, north along this line to a point 400 feet north of the center line of Bronx Avenue; then easterly to a point 150 feet east of the center line of Main Street; then southerly along this line to the center line of North Avenue; then northeasterly along this line to the center line of Lindley Street; then southeasterly along this line to the center line of North Washington Avenue; then along the center line of North Washington Avenue southwesterly to a point 150 feet from the center line of Housatonic Avenue; then easterly from this point to the mid-point of the Pequonnock River, southerly from this point to 150 feet north of the center line of Barnum Avenue; then easterly to the center line of Knowlton Street, southerly along this line to a point 150 feet north of Washington Avenue, easterly along this line to a point 150 feet left of the center line of East Main Street, north along this line to the center line of Ogden Street, easterly to a point 150 feet east of the center line of East Main Street, then southerly along this line to a center line of Maple Street, easterly along this line to a point 150 feet east of Pembroke Street, northerly along this line to a center line of Ogden Street, easterly along this line to a point 150 feet east of Pembroke Street; then southerly along this line to the center line of Barnum Avenue; then easterly to the center line of Helen Street, southerly along this line to the center line of Crescent Avenue, easterly along this line to the center line of Seaview Avenue, then northerly along this line to a point 150 feet north of Barnum Avenue; then easterly along this line to the center line of Summerfield Avenue, northerly along this line to a point 150 feet north of the center line of Grant Street; then easterly along this line to the city line; then south along this line to a point 150 feet south of the center line of Barnum Avenue; then along this line, southwesterly to the center line of Central Avenue, then south along this line to a point 150 feet south of the center line of Crescent Avenue; then westerly along this line to the center line of Yellow Mill Pond; then southerly along this line to the center line of Hamilton Street; then westerly along this line to a point 150 feet east of Pembroke Street; then southerly along this line to a point 150 feet north of the center line of Stratford Avenue; then easterly and northeasterly along this line to the city line; then southerly along the city line to a point 150 feet south of the center line of Stratford Avenue; then southwest, and westerly along this line to a point 150 feet east of Pembroke Street; then southerly along this line to the harbor; then westerly along this line to a point 150 feet west of the center line of East Main Street, northerly along this line to a point 150 feet south of the center line of Stratford Avenue; then easterly along this line to

the mid-point of the Pequonnock River.

Starting at a point at the city dock line southeast of the Connecticut Turnpike and extending southeasterly along this line for a distance of 4,000 feet; then westerly from this point to a point 150 feet west of Main Street; then northerly along this line to the center line of Whiting Street; then westerly along this line to the center line of Broad Street; then northerly along this line to a point 150 feet south of the center line of Railroad Avenue; then westerly along this line to the center line of Johnson Street, then southwesterly along this line and the center line of Ridge Avenue to the center line of Iranistan Avenue; then southerly along this line to the center line of Waldemere Avenue, then westerly along this line to the center line of Barnum Dyke; then northerly along this line to the center line of South Avenue; then northwesterly across Cedar Creek to the center line of Howard Avenue; then northerly along this line to the center line of Cherry Street; then westerly along this line to the center line of Pine Street to a point 150 feet east of Fairfield Avenue; then southwesterly along this line to the city line.

Starting at a point 150 feet east of the center line of Fairfield Avenue and 150 feet north of the center line of Railroad Avenue; then easterly along this line to a point 150 feet west of the center line of Warren Street; then north along this line to the center line of Frontage Road.

Starting at a point 150 feet south of the center line of State Street and 600 feet west of the center line of Lafayette Boulevard; then continuing westerly along this line to a point 150 feet east of the center line of Fairfield Avenue and 150 feet north of the center line of Railroad Avenue.

Starting at a point at the center line of Mountain Grove Street and 150 feet northwest of the center line of State Street easterly along this line to the center line of Bassick Avenue northerly along this line to a point 150 feet southeast of the center line of Fairfield Avenue, then southwesterly along this line to a point 150 feet southeast of Fairfield Avenue and the center line of Mountain Grove Street.

Starting at a point at the center line of Colorado Avenue and 150 feet northwest of the center line of State Street and continuing northeasterly along this line to the center line of Norman Street, then northerly along this line to a point 350 feet south of the center line of Fairfield Avenue; then westerly along this line to the center line of Yale Street; then north along this line to a point 150 feet south of the center line of Fairfield Avenue; then west and southwest along this line to the center line of Colorado Avenue; then southeasterly along this line to a point 150 feet northwest of the center line of State Street.

2. Area 2. Starting at a point at the center line of Benham Avenue and 150 feet west of the center line of Coleman Street; then northerly along this line to a point 150 feet north of the center line of Maplewood Avenue; then west along this line to the center line of Iranistan Avenue; then northerly along this line to a point 150 feet north of the center line of Atwater Street; then easterly along this line to a point 150 feet east of the center line of Park Avenue; then south along this line to a point 150 feet north of the center line of North Avenue; then east along the line to the center line of Petrie Street; then south to the center line of James Street; then southeasterly along this line to a point 150 feet east of the centerline of Chestnut Street; then south along this line to a point 150 feet north of the center line of Pequonnock

Street east along this line to the center line of Jones Avenue; then south to the center line of Benham Avenue; then south along this line to a point 150 feet west of Coleman Street.

3. Area 3. Starting at a point at the center line of North Avenue and 150 feet west of the center line of Madison Avenue northerly along this line to a point 150 feet north of the center line to Sidney Street; then easterly along this line to a point 150 feet west of the center line of Wayne Street; then southerly along this line to the center line of North Avenue; then westerly along this line to a point 150 feet west of Madison Avenue.

4. Area 4. Starting at a point at the center line of Birmingham Street and 150 feet west of the center line of Main Street northerly along this line to the center line of Anton Street westerly along this line to a point 150 feet east of the center line of Anton Drive northerly along this line to a point 150 feet north of the center line of Oxbrook Road easterly along this line to a point 150 feet east of the center line of Main Street; then southerly along this line to a point approximately 130 feet south of Hillhouse Avenue, being the southerly boundary of premises known as 3560 Main Street and the northerly boundary of 3546 Main Street; then southerly along this line to a point opposite the center line of Birmingham Street; then in a westerly direction to a point 150 feet west of Main Street, being the point of origin.

5. Area 5. Starting at a point at the center line of York Street and 150 feet west of East Main Street northerly along this line to the center line of Noble Avenue; then northeasterly along the center line of East Main Street to the center line of Jennings Avenue; then easterly and northeasterly along this line to the center line of Evers Street; then southeasterly along this line to the center line of Huntington Turnpike; then southwesterly along this line to a point at the center line of Virginia Avenue and 150 feet east of the center line of Huntington Turnpike then southwesterly and southerly along this line to the center line of York Street; then westerly along this line to a point 150 feet west of the center line of East Main Street.

6. Area 6. Starting at a point at the center line of North Avenue and Front Street north along the center line of North Avenue to the center line of Colonial Avenue North along this line to a point 800 feet north of the center line of North Avenue; northeasterly along this line to a point 150 feet east of the center line of Boston Avenue southeasterly along this line to the center line of Dean Place then northerly of the center line of Dean Place to a point 400 feet north of the center line of Boston Avenue to the center line of Noble Avenue then southerly along this line to a point 150 feet north of the center line of Boston Avenue; then southeasterly along this line to East Main Street; then southeasterly along the center line of Boston Avenue to the center line of Brooks Street then southeasterly along the center line of Brooks Street to a point 150 feet south of the center line of Boston Avenue; then northwesterly along this line to William Street; then southerly along the Pequonnock River Channel to the center line of Island Brook Avenue; then northwesterly along this line to the center line of Twitchell Street; then southerly along this line to the center line of Front Street northwesterly along this line to the center line of North Avenue.

7. Area 7. Starting at a point at the center line of Seaview Avenue and 150 feet south of the center line of

Boston Avenue easterly along this line to the center line of Mill Hill Avenue; then north along this line to a point 150 feet north of the center line of Boston Avenue then easterly along this line to the center line of Bond Street; then southerly along this line to the center line of Seaview Avenue southerly along this line to a point 150 feet south of the center line of Boston Avenue.

8. Area 8. Starting at a point at the center line of Hale Terrace and 150 feet south of the center line of Boston Avenue easterly along this line to the city line; then north along the city line to a point 150 feet north of Boston Avenue; then westerly along this line to the center line of Hale Terrace southerly along this line to a point 150 feet south of the center line of Boston Avenue.

(Prior code § 8-4)

Chapter 8.33
REDUCTION AND REALLOCATION OF PUBLIC SAFETY PERSONNEL

Sections:

8.33.010 Reduction and reallocation of public safety personnel.

A. Prior to the city closing, any police precinct headquarters or fire houses or closing any fire companies, ladder companies or truck companies or relocating any police precinct headquarters or fire houses or fire companies, ladder companies or truck companies, the mayor shall give the public notice of such action by posting a notice in the local, daily newspaper at least forty-five (45) days prior to such action. Such notice must include a description of the planned action, any geographic area of the city that will be impacted by such action along with the date of a public hearing to be conducted before the city council.

B. The public hearing shall be conducted, whenever feasible, within the geographic area impacted by this action within thirty (30) days of such notice.

C. The mayor or his designee shall submit written testimony outlining the economic reasons for such actions, the negative impact such action may have on sections of the city relative to response times, coverage areas and the city as a whole, alternative solutions sought prior to the proposed actions and any additional pertinent information.

D. The union(s) representing the public safety personnel may submit their own testimony relative to the proposed action along with any alternate actions proposed on the employees' behalf.

E. If the city council takes no action prior to the original forty-five (45) days' notice, the action shall be deemed approved.

(Ord. dated 6/19/06)

Chapter 8.36
EXPLOSIVES AND FLAMMABLE SUBSTANCES

Sections:

Article I. In General

Article II. Permits

Article I.
In General

8.36.010 Definitions.

Terms used in this chapter shall be construed as follows:

"Dike wall" means a solid wall of masonry forming an enclosure about a tank or other receptacle containing any of the explosive or flammable liquids described in this chapter.

"Fire chief" means the fire chief of the fire department.

"Individual filling station" means a place where one or more tanks or pumps comprise a unit from which any of the liquids described in this chapter are sold or delivered.

"Individual gasoline storage station" means a place where one or more tanks or other methods of storage comprise a business, place or unit where any of the liquids described in this chapter are stored for the purpose of storage only, or for the purpose of delivery therefrom to individual distributors, distributees or vendees.

"Tank" means and includes any structure capable of containing liquids.

(Ord. dated 12/21/92 § 75(b); prior code § 11-56)

8.36.020 Liquids Flash point classification.

A. For the purpose of this chapter, explosive and flammable liquids are divided into three classes, according to the flash point, as follows:

1. Class I. Liquids with flash point below twenty-five (25) degrees Fahrenheit (minus four degrees centigrade) closed cup tester;

2. Class II. Liquids with flash point above that for class I and below seventy (70) degrees Fahrenheit (twenty-one (21) degrees centigrade) closed cup tester;

3. Class III. Liquids with flash point above that for class II and below one hundred eighty-seven (187) degrees Fahrenheit (thirty-six (36) degrees centigrade) closed cup tester.

B. The flash point shall be determined with the Elliott, Abel, Abel-Pensky or the Tag closed cup tester; but the Tag closed cup tester (standardized by the United States Bureau of Standards) shall be authoritative in case of dispute. All tests shall be made in accordance with the methods adopted by the American Society for Testing and Materials.

(Prior code § 11-57)

8.36.030 Liquids Classification examples.

Wherever the term "explosive and flammable" or "flammable liquids" is referred to in this chapter, it shall mean the following representative examples of classes of explosive and flammable liquids:

Class I	Class II	Class III
Ether	Alcohol	Kerosene
Carbon bisulphide	Amyl acetate	Amyl alcohol
Gasoline	Toluol	
Naphtha	Ethyl acetate	Turpentine
Bensol	Methyl acetate	Fuel oil
Collodion		
Acetone		

(Prior code § 11-58)

8.36.040 Burying of underground tanks.

Tanks buried underground shall have the top of the tank not less than two feet below the surface of the ground and below the level of any piping to which the tanks may be connected; except that, in lieu of the two-foot cover, tanks may be buried under twelve (12) inches of earth and a cover of reinforced concrete at least six inches in thickness provided, which shall extend at least one foot beyond the outline of the tank in all directions, such concrete cover to be placed on a firm, well-tamped earth foundation. Where

necessary to prevent floating, tanks shall be securely anchored or weighted. Where a tank cannot be entirely buried, it shall be covered with earth to a depth of at least two feet with a slope on all sides not steeper than one and one-half feet horizontal to one food vertical.

(Prior code § 11-59)

8.36.050 Storage limits of underground tanks.

A. An underground tank for class I or class II flammable liquids shall be located not less than the distance indicated in the table set out in this section, measured horizontally from the nearest point of the shell to the nearest line of adjoining property that may be built upon and the nearest outside wall of any basement, pit or cellar of which the floor is lower in elevation than the top of such tank:

Minimum Distance from Underground Tanks for Class I or II Flammable Liquids to Basements or to Line of Adjoining Property that May Be Built Upon

Individual Tank Capacity Classes I and II (gallons)	Location If Top of Tank Is Above the Lowest Floor, Basement, Cellar or Part of Any Building Which Is Not Less Than:
550....	5 feet away
5,000....	10 feet away
10,000....	15 feet away
15,000....	20 feet away
25,000....	25 feet away.

B. The location of the underground storage tank for class III shall not be less than two feet distant from property lines, basements, pits or cellars. All excavations for underground tanks shall be made with due care to avoid undermining of foundations of existing structures.

(Prior code § 11-60)

8.36.060 Distance requirements of tanks from adjoining properties.

In case of tanks for the storage of classes I, II and III liquids at marketing stations, wholesale storage, individual storage stations, individual filling stations and other properties where explosive and flammable liquids are stored in quantities, the distance from the line of adjoining property shall in no case be less than set forth in the following table nor less than double these distances in the case of tanks or the storage of crude petroleum. In particular installations these distances may be increased at the discretion of the fire chief after consideration of the special features such as topographical conditions, nature of occupancy, the proximity to buildings on adjoining property, the height and character of

construction of such buildings, the capacity and construction of proposed tanks, the character of liquids to be stored, the degree of private fire protection to be provided and the facilities of the fire department to cope with oil fires. Consideration of these features shall also determine the distances for tanks of capacities over five hundred thousand (500,000) gallons.

Minimum Distance Measured from Nearest Point of Diked Area of Outside Aboveground Tanks for Classes I, II and III Liquids Other Than Crude Petroleum to Line of Adjoining Property

Capacity of Tank (gallons)	Minimum Distance to Line of AdjoiningProperty Which MayBe Built Upon
0 to 12,000....	10 feet
12,001 to 24,000....	15 feet
24,001 to 30,000....	20 feet
30,001 to 50,000....	25 feet
50,001 to 75,000....	30 feet
75,001 to 100,000....	40 feet
100,001 to 250,000....	45 feet
250,001 to 500,000....	50 feet

(Ord. dated 12/21/92 § 75(b); prior code § 11-61)

8.36.070 Distance requirement as to truck loading racks.

At marketing stations, individual storage stations, individual filling stations and elsewhere, truck loading racks shall be separated from tanks, warehouses and other plant buildings by distances at least equivalent to those specified in the table in Section 8.36.060.

(Prior code § 11-62)

8.36.080 Distance requirements between aboveground storage tanks.

The minimum distances between aboveground storage tanks, applying to classes I, II and III liquids, measured between the nearest points of dikes, shall be in accordance with the following table:

Capacity of Tanks (or of the larger of the two tanks between which distance is to be measured) (gallons)	Minimum Distance Between Tanks
300 or less....	3 feet

500 or less....	3 feet
1,000 or less....	3 feet
8,000 or less....	3 feet
12,000 or less....	3 feet
18,000 or less....	3 feet
24,000 or less....	5 feet
30,000 or less....	10 feet
48,000 or less....	10 feet
75,000 or less....	13 feet
100,000 or less....	15 feet
More than 100,000 and less than 2,500,000, distance equal to the diameter (or the greatest horizontal dimension if the tank is not cylindrical) of the tank or of the larger of two tanks between which the distance is to be measured.	

(Prior code § 11-63)

8.36.090 Certain safety devices required for aboveground tanks.

Each aboveground tank over one hundred (100) gallons in capacity, whether inside or outside buildings, shall have vent openings, except safety valves, provided with noncorrodible wire screens (preferably 40 × 40 mesh but not less than 30 × 30 mesh or its equivalent) so attached as to completely cover the openings. Unless vent openings are adequate to relieve an excessive pressure, a safety valve shall be provided, or manhole covers which shall be kept closed by weight only and not firmly attached. The screens on openings may be made removable, but shall be kept normally but firmly attached. The covers for manholes, handholes and gauge holes shall be made tight fitting.

(Prior code § 11-64)

8.36.100 Required lettering on certain aboveground tanks.

Aboveground tanks for classes I and II liquids shall have painted conspicuously upon their sides in letters at least two inches high, the wording, "FLAMMABLE KEEP FIRE AWAY."

(Prior code § 11-65)

8.36.110 Construction requirements for underground tanks.

Underground tanks shall conform to the following requirements:

A. Material Thickness. Tanks shall be constructed of open hearth steel or of wrought iron of a thickness not less than that specified in the following table. For liquids heavier than thirty-five degrees Baume, tanks may be constructed of concrete in accordance with the regulations of the National Fire Protection Association.

Minimum Thickness of Material		
Capacity (gallons)	Gauge (U.S. Standard)	Lbs. per Sq. Ft.
1 to 285....	16	2.50
286 to 560....	14	3.125
561 to 1,100....	12	4.375
1,101 to 4,000....	7	7.50
4,001 to 12,000....	1/4 inch	10.00
12,001 to 20,000....	5/16 inch	12.50
20,001 to 30,000....	3/8 inch	15.00
For tanks of one thousand one hundred (1,100) gallons and more a tolerance of ten percent in capacity shall be allowed.		

B. Quality of Material, etc. No seconds shall be used in the construction of any tank. All material lighter than No. 7 U.S. standard gauge shall be galvanized. For class III liquids, if adequate inner bracing is provided, tanks from twelve thousand one (12,001) to thirty thousand (30,000) gallons capacity may be built of one-fourth-inch steel plate.

C. Joints Strength. All joints of tanks shall be riveted and caulked, brazed, welded or made tight by some equally satisfactory process. Tanks shall be tight and sufficiently strong to bear without injury the most severe strains to which they may be subjected in use. Shells of tanks shall be properly reinforced where connections are made, and all connections made through the top of the tank shall be above the liquid level. Tanks for systems under pressure shall be designed for four times the maximum working pressure and tested to twice the maximum working pressure.

D. Coating for Iron, Steel Tanks. All iron or steel tanks shall be thoroughly coated on the outside with tar, asphaltum or other suitable rust-resisting material. Where soil contains corrosive substances, such special protection shall be provided as may be required by the fire chief.

E. Use of Copper, etc. With the approval of the fire chief, tanks of copper or other suitable material may be used if, after the necessary handling incident to installation, they are equivalent in strength, rigidity, durability and tightness to the steel or iron tanks described in this chapter.

(Ord. dated 12/21/92 § 75(b); prior code § 11-66)

8.36.120 Thickness of material in aboveground tanks.

Aboveground tanks (including tops) shall be constructed throughout of open hearth steel or of wrought iron of a thickness in accordance with the following requirements: no open tanks shall be used; for liquids of thirty-five (35) degrees Baume or heavier, tanks may be constructed of concrete in accordance with the regulations of the National Fire Protection Association.

A. Horizontal or vertical tanks not over one thousand one hundred (1,100) gallons capacity shall conform to the following table:

Capacity (gallons)	Minimum Thickness of Material (U.S. Standard)
1 to 60....	18 gauge
61 to 350....	16 gauge
351 to 560....	14 gauge
561 to 1,100....	12 gauge.

B. Horizonal Tanks Over One Thousand One Hundred (1,100) Gallons Capacity. Tanks having a diameter of not over six feet shall be made of at least three-sixteenths-inch steel. Tanks having a diameter of over six feet and less than eleven and one-half feet shall be made of at least one-fourth-inch steel.

C. Vertical Tanks Over One Thousand One Hundred (1,100) Gallons Capacity. Tanks of this class shall be of such material and so constructed as to have a factor of safety of at least 2.5. The minimum thickness of the shell or bottom shall be three-sixteenths inch. The minimum thickness of the roof shall be one-eighth inch. The thickness of the plates shall be in accordance with the following formula:

Where,

T = thickness of plate in inches

H = height of tank in feet above the bottom of the ring under consideration

D = diameter of the tank in feet

F = factor of safety (taken as 2.5)

S = specific gravity of liquid stored (water = 1)

t = tensile strength of plate in pounds per square inch

E = efficiency of vertical joint in ring under consideration

The tensile strength of the steel shall be taken as fifty-five thousand (55,000) pounds per square inch, and the shearing strength of rivets shall be taken as forty thousand (40,000) pounds per square inch.

(Prior code § 11-67)

8.36.130 Construction requirements for aboveground tanks.

Aboveground tanks shall conform to the following requirements:

A. Tanks shall be riveted, welded or brazed, and shall be soldered, caulked or otherwise made tight in a mechanical and workmanlike manner. if any tank is to be used with a pressure discharge system, it shall safely sustain a hydrostatic test at least double the pressure to which it may be subjected. Except as provided in this chapter, tanks shall be constructed entirely of metal, including the top, sides and bottom thereof. All openings shall be gastight, except breather vents, which shall be screened as provided in Section 8.36.090. All pipe connections shall be made through flanges or metal reinforcements securely riveted, welded or bolted to the tank and shall be made thoroughly tight.

B. Roofs and tops of tanks shall have no unprotected openings. Roofs and tops shall be securely fastened to the top ring of the tank with joints of the same tightness as the joints between the rings, such joints to be riveted and caulked, brazed, welded or made tight by other process satisfactory to the fire chief.

C. With the approval of the fire chief, tanks of copper or other suitable material may be used if, after the necessary handling incident to the installation, they are equivalent in strength, rigidity, durability and tightness to the steel or iron tanks described in this chapter. For liquids of thirty-five (35) degrees Baume or heavier, tanks may be constructed of concrete in accordance with the regulations of the National Fire Protection Association.

D. All iron and steel tanks shall be thoroughly coated on the outside with tar, asphaltum or other rust-resisting paint or coating.

E. Except in oil refineries or large water terminals, tanks containing flammable liquids having a flash point below seventy (70) degrees Fahrenheit closed cup tester shall have painted conspicuously upon the side the wording, "FLAMMABLE KEEP FIRE AWAY."

F. All tanks shall be electrically grounded by resting directly on moist earth or otherwise electrically grounded to permanent moisture to the satisfaction of the fire chief. No insulated connections shall be permitted. Telephone poles or other projections liable to act as lighting discharge points shall be kept as

far as practicable from tanks. All steel work or reinforced concrete tanks shall be interconnected and grounded by an approved method.

G. Tanks more than one foot above the ground shall have foundation and supports of noncombustible materials, except that wooden cushions may be permitted. No combustible material shall be permitted under or within ten feet of any aboveground outside storage tanks.

(Ord. dated 12/21/92 § 75(b); prior code § 11-68)

8.36.140 Dike walls Maintenance and capacity.

All aboveground tanks containing crude oil or other liquids which have a tendency to boil over, and all tanks exceeding fifty thousand (50,000) gallons (one thousand two hundred (1,200) barrels) capacity shall be adequately and properly diked with a wall of earth, steel, concrete or solid masonry designed to be liquidtight, having a holding capacity of not less than equal volume to that of the tanks surrounded. The minimum height of such masonry dikes shall be thirty (30) inches. Tanks of less than fifty thousand (50,000) gallons (one thousand two hundred (1,200) barrels) capacity shall, when deemed necessary by the fire chief on account of proximity of streams, character of topography or nearness to buildings of high value, be diked or the entire yard provided with a curb or retaining wall or other suitable means taken to prevent the discharge of liquids onto other property in case of a rupture in tanks or piping. Wherever mentioned in this chapter, a dike wall shall be a wall constructed of masonry in accordance with modern standard engineering practices and acting as a retaining wall to withstand the lateral pressure of the contained fluid. When dikes surround tanks containing crude oil, they shall have, in addition to the above capacity, a suitable coping or deflector projecting inward and properly constructed to minimize the effect of a boilover wave. Dikes surrounding crude oil tanks shall not be less than fifty (50) feet from the shell of the tanks surrounded. The capacity of dikes required by this chapter shall be rigidly adhered to.

(Ord. dated 12/21/92 § 75(b); prior code § 11-69)

8.36.150 Restriction upon storage in aboveground tanks.

No person shall store in any aboveground tank located within either of the fire districts in quantities exceeding twenty-five thousand (25,000) gallons, any of the liquids specified in classes I and II, if such tanks are located within a distance of forty (40) feet of any public street or highway, or within a distance of forty (40) feet of any right-of-way or property of any railroad company regularly used for the transportation of passengers, or within forty (40) feet of any adjoining property line, or within one hundred fifty (150) feet of any building used for school purposes for more than six months of a calendar year or any building used for purposes of public assembly. All of such measurements shall be taken from the nearest point of the dike wall surrounding such tank. Nothing in this section shall be construed to modify, vary or otherwise affect the provisions of the table contained in Section 8.36.060 insofar as the storage of quantities in excess of seventy-five thousand (75,000) gallons may be concerned.

(Prior code § 11-70)

8.36.160 Use, repair of damaged tanks.

In the event that any tank already located within either of the fire districts and used for the purpose of storing or keeping therein any of the liquids named in class I, II or III, has been or shall be injured by explosion, fire or accident so that in its damaged or unrepaired state it would be impracticable, unsafe or contrary to law or ordinance to store or keep any of such liquids therein, or in the event any such tank, for any cause, shall become in the judgment of the fire chief unfit for safe use for the purpose for which it has been used, he shall make an inspection thereof; and if he shall find that such tank cannot be safely used for the storage of any such liquids, he shall notify the owner of the same or the person in control thereof to cease using the same for any of such purposes. No such tank shall be repaired, rebuilt, reconstructed or altered for the purpose of future use for the storage of any of such liquids unless a permit shall be issued by the common council authorizing the same to be done. The common council shall not issue such a permit in any case in which the maintenance of such a tank or the storage of any of such liquids therein would be contrary to or violate the other provisions of this chapter. In the event that any such tank shall be repaired contrary to the provisions of this chapter, or through the intervention or under the order of any competent court or judge thereof, the same shall be used for the purpose of storing any of the liquids enumerated in class I, II or III unless and until the common council shall on application of the owner or other person intending so to use, grant a permit to do so.

(Ord. dated 12/21/92 § 75(b); prior code § 11-71)

8.36.170 Dikes For tanks violating chapter.

In all cases in which aboveground tanks, or other receptacles serving the purpose of tanks, have been erected and are being used under the authority of a permit validly granted by the common council for the keeping or storage of any of the liquids named in class I, II or III, but are so located as not to comply with the other provisions of this chapter, it shall be the duty of the fire chief to ascertain such conditions and to notify the owner thereof or person in control thereof to proceed forthwith to erect dikes if none or insufficient dikes exist.

(Ord. dated 12/21/92 § 75(b); prior code § 11-72)

8.36.180 Dikes Construction Size.

Upon receipt of the notice provided in Section 8.36.170, it shall become the duty of the owner of such tanks to cause each tank having a capacity of fifty thousand (50,000) gallons or more to be enclosed in a dike, the capacity of which shall at least equal the full capacity of such tank. In case of a number of tanks, no one of which has a capacity of fifty thousand (50,000) gallons, but a portion or the whole of which number may be combined together in such a manner that the total capacity of those so combined

shall not exceed fifty thousand (50,000) gallons, the group so combined shall be enclosed in one dike, the capacity of which dike shall at least be equal to fifty thousand (50,000) gallons. In the event that two or more tanks, each having a capacity of fifty thousand (50,000) gallons or more, shall be so located that the dike wall required about each of them would pass between two adjacent tanks, said dike wall shall be placed approximately in the center of the space between such tanks. If this space is less than the diameter of the larger of such tanks, in case one is larger than the other, then a fire wall shall be constructed of such height that its top shall not be lower than the height of either of the tanks by a distance greater than the space between such tank and the dike wall common to both of them. In the event that a tank is located nearer to a street, car or adjoining property line than the length of its diameter, such dike wall shall be constructed as a fire wall of such height that its top shall not be lower than the top of the tank by a distance greater than the distance between such tank and such dike wall.

(Prior code § 11-73)

8.36.190 Dikes Construction Standards.

All dike walls shall be constructed, in accordance with modern standard engineering practice, of earth, steel, concrete or solid masonry designed to be liquidtight, and shall in no case have a capacity less than that of the capacity of the tank which it surrounds. In instances where a dike wall becomes a fire wall, the wall must be self-supporting and must be sufficiently strong to withstand the lateral pressure of fluids contained within the dike on either side.

(Prior code § 11-74)

8.36.200 Dikes Capacity in general.

Wherever the term "dikes" or "dike walls" is mentioned in this chapter, unless the context clearly indicates otherwise, it is the intention of this chapter that such dikes or dike walls shall in all cases be of sufficient height and strength and so constructed that the cubic contents which they shall enclose shall be at least equal to the capacity of the tank for which they are required.

(Prior code § 11-75)

8.36.210 Restriction on delivery of certain liquids.

No person shall sell or deliver or cause to be sold or delivered, within the limits of the city, gasoline, commercial lacquer, lacquer thinner or other volatile inflammable liquid to any person not possessing a permit required under the provisions of this chapter, or in a quantity in excess of that allowed in such permit.

(Prior code § 11-76)

8.36.220 Storage of petroleum products.

Kerosene or other products of petroleum or coal tar shall be kept in tanks as provided in this chapter or in tanks of a design approved by the fire chief where no provision therefor is made in this chapter, but such tanks shall not be kept under any stairway or in any cellar or in any hazardous location unless permission to do so is secured from the fire chief.

(Ord. dated 12/21/92 § 75(b); prior code § 11-77)

Article II.
Permits

8.36.230 Required Storage in excess of fifty thousand gallons.

It is unlawful for any person to keep, store or maintain at any individual filling station located within the fire limits of the city an excess of fifty thousand (50,000) gallons of flammable liquids contained in class I, II, or III as classified in Section 8.36.020. The maximum quantity permitted by this section at an individual filling station shall be kept, stored and maintained therein in compliance with Section 8.36.050 as amended; provided, however, no single tank located at any such filling station shall be of a capacity in excess of ten thousand (10,000) gallons of such flammable liquids. Before any person installs storage tanks for the keeping, storage and maintenance of such flammable liquids permitted by this section, he shall first obtain a permit therefor from the common council of city upon application made as provided in Section 8.36.250(A).

(Prior code § 11-108)

8.36.240 Required Storage in excess of one hundred gallons.

Any person desiring to keep, store and maintain in bulk any quantity of liquids in excess of one hundred (100) gallons contained in classes I, II and III, in any location other than in an individual filling station within the fire limits of the city shall first make application for a permit in accordance with the provisions of Section 8.36.250(B). The issuance of such permit shall be within the discretion of the fire chief, having due regard for the location and quantity of flammable liquids contained in classes I, II and III requested in such application, the capacity and the construction of proposed tanks, and type and character of liquids to be stored, the degree of private fire protection to be provided and the facilities of the fire department to cope with resultant fires. Such further special protection shall be provided as may be required by the fire chief before such permit shall be issued. Any person aggrieved by any action of the fire chief shall have the right to appeal such action to the board of fire commissioners. Such appeal must be filed in writing with the clerk of such board within ten days from the issuance of an order of the fire chief made under this chapter.

(Ord. dated 12/21/92 § 75(b); prior code § 11-109)

8.36.250 Applications.

A. The application for the permit required by Section 8.36.230 shall be filed with the city council of the city; shall be made by the owner, lessee or occupant of the premises at which such flammable liquids are to be kept, stored and maintained; shall be in writing, shall state the number of gallons and the kind of such flammable liquids which the applicant desires to keep, store and maintain; shall be accompanied by a map or plan showing accurately the location of the premises on which such flammable liquids are to be kept, stored or maintained and the location of buildings, streets, highways and parks by which the same may be bounded and the relative distances of the same from the premises where such liquids are proposed to be kept, stored or maintained; and shall show by diagram the location on the premises of each storage tank where such liquids are to be kept, stored and maintained together with a list of the type and capacity of each tank. If such application and map or plan showing such keeping, storage and maintenance of flammable liquids is in accordance with other provisions of this chapter relating to underground storage tanks, the city council may issue such permit, the fee for which shall be one hundred dollars ($100.00) per tank and shall be paid to the fire chief for use of the city.

B. The application for the permit required by Section 8.36.240 shall state specifically the maximum number of gallons which the applicant desires to store and shall be accompanied by a map or blueprint showing accurately the location of such premises and of buildings, streets, highways and parks by which the same may be bounded and the relative distances of the same from the premises where such substances are proposed to be stored and shall also show the location on such premises where such substances are to be stored.

C. The installation of any flammable or combustible liquid tank in excess of one hundred (100) gallons shall require a permit from the fire chief. Any tank installation of a flammable or combustible gas one hundred (100) pounds or larger shall require a permit from the fire chief. All applications for permits shall be accompanied by a map or plan showing accurately the location of the premises on which such flammable or combustible liquids and gases are to be kept, stored or maintained and the location of buildings, streets, highways and parks by which the same may be bounded, and the relative distances of the same, from the premises where such liquids and gases are proposed to be kept. A diagram of all buildings shall show windows, doors or openings therein, and the distance the tank to be stored from all openings. A fee for the application and installation shall be one hundred dollars ($100.00) per commercial flammable or combustible liquid or gas tank; fifty dollars ($50.00) per residential flammable or combustible liquid or gas tank and shall be paid to the fire chief for use of the city.

(Ord. dated 7/5/05: Ord. dated 8/1/94 (part): Ord. dated 12/21/92 § 75(b); prior code § 11-110)

(Ord. dated 11/3/08)

8.36.260 Inspection of premises, etc., prior to issuance.

Before issuing any permit for the transportation, keeping or storage of inflammable liquids, the fire chief shall make an inspection of the premises, vehicles, containers, tanks and equipment proposed to be used in the transportation, keeping or storage of such liquids.

(Ord. dated 12/21/92 § 75(b); prior code § 11-111)

8.36.270 Qualifications of applicant.

No permit required by this article shall be issued to any person not properly qualified or who is under the age of eighteen (18) years.

(Prior code § 11-112)

8.36.280 Previous permits to continue in force.

All permits heretofore granted by the common council to have, store, keep, maintain, sell, control or use any flammable liquids listed in Section 8.36.020 within the fire limits of the city and in areas outside the fire limits shall remain valid and in full force and effect.

(Prior code § 11-113)

8.36.290 Renewal.

All persons complying with the provisions of Sections 8.36.230 and 8.36.240, and all persons presently holding permits for the keeping, storing and maintenance of flammable liquids, shall annually, on or before October 1st obtain a license from the fire chief. For the storage of more than one hundred (100) gallons the fee of such license shall be seventy-five dollars ($75.00) per commercial tank and seventy-five dollars ($75.00) per commercial LPG tank, payable upon application. Application for such license shall be filed with the fire chief within thirty (30) days prior to October 1st. If, at the time of such application, the keeping, storing and maintenance of flammable liquids are not in violation of any of the applicable provisions of this chapter, such license shall be granted. The provisions of the section, however, shall not apply to any persons holding permits for approved heating systems.

(Ord. dated 7/5/05: Ord. dated 8/1/94 (part): Ord. dated 12/21/92 § 75(b); prior code § 11-114)

8.36.300 Required for storage of certain liquids in safety containers.

Gasoline, ether, carbon bisulphide, naphtha, benzol, commercial lacquer, lacquer thinner or collodion shall be stored or kept only in safety containers. Where the quantity of such liquids so stored or kept exceeds five gallons, but does not exceed five barrels, such containers shall be approved by and a permit secured from the fire chief; and no greater quantity of such liquids shall be kept or stored than authorized in such permit.

(Ord. dated 12/21/92 § 75(b); prior code § 11-115)

8.36.310 Required for transportation of certain liquids.

No person shall transport any explosive or flammable liquid, in excess of five gallons in quantity, in any vehicle, or in any tank or container on any vehicle, from any place of supply within the city for sale or delivery to any other place within the city until such vehicle and any tank or container thereon shall have been inspected by the fire chief and a written permit for such use thereof shall have been issued by him. The fire chief shall further be empowered to inspect any other vehicle or any tank or container on any vehicle which shall be used for the transportation of explosive and flammable liquids, and to forbid the use of the same within the city if he shall determine that such vehicle or such tank or container cannot safely be used for such purpose. Nothing contained in this section shall be construed to require such a permit for the storage and transportation of gasoline in the tank of any motor vehicle for use in generating motor power for such vehicle.

(Ord. dated 12/21/92 § 75(b); prior code § 11-116)

8.36.320 Required for unloading tank cars.

A permit must be procured from the fire chief for the unloading of any tank car of gasoline, commercial lacquer, lacquer thinner or other volatile inflammable liquid; and when such liquids are being unloaded from tank cars or being transported for distribution, suitable signs lettered "Smoking Prohibited by Order of the Fire Department" shall be conspicuously displayed.

(Ord. dated 12/21/92 § 75(b); prior code § 11-117)

8.36.330 Required for storage, sale of petroleum products.

It is unlawful for any person to have, store, keep or maintain kerosene in quantities of five barrels or less and in excess of fifty (50) gallons or to sell kerosene or similar products of petroleum in any quantity of five barrels or less unless a permit to do so shall first have been procured from the fire chief.

(Ord. dated 12/21/92 § 75(b); prior code § 11-118)

8.36.340 Blasting permit Required.

No person shall cause any blast to be set off unless he shall first receive from the director of public facilities a permit which shall specify the place and the estimated time within which such blasting is to be done.

(Ord. dated 12/21/92 § 75(f); prior code § 21-2)

8.36.350 Blasting permit Bond requirements.

No permit required by Section 8.36.340 shall be granted unless the person applying therefor shall have on file in the office of the director of public facilities a bond in the sum of five thousand dollars ($5,000.00) with surety to the acceptance and approval of the director, the purpose of which bond shall be to indemnify the city against loss and also to indemnify any person against damage to his person or property except, however, employees of the person to whom such license is granted. The director shall have the power at any time to direct a new bond to be filed before he is required to issue any permits under the provisions of Section 8.36.340.

(Ord. dated 12/21/92(f); prior code § 21-3)

8.36.360 Blasting permit Authority of director to refuse issuance.

The director of public facilities shall have the power to refuse to issue any permit required by Section 8.36.340 provided he gives the applicant a statement in writing of the reason for his refusal.

(Ord. dated 12/21/92(f); prior code § 21-4)

Article III.
Storage of Explosives

8.36.370 Notice of storage of explosives.

Every person licensed to manufacture, sell or deal in explosives pursuant to the General Statutes shall give notice thereof by placing in a conspicuous position in front of the building where any such explosives are kept a sign with the words "LICENSED TO KEEP EXPLOSIVES" printed in capital letters thereon.

(Prior code § 11-88)

8.36.380 Inspection of premises where explosives are stored.

The fire chief or those acting for him or under his jurisdiction shall inspect at least every month all places in which fireworks, gunpowder and other explosives are kept, used or sold and report the same with the names of the persons licensed and the location of their places of business to the common council. They shall also see that all persons who sell, us or keep inflammable or explosive substances shall make proper application for all licenses required by statute or ordinance and, in case of any failure to so apply, shall make report thereof to the prosecuting attorney.

(Ord. dated 12/21/92 § 75(b); prior code § 11-89)

8.36.390 Records of explosive storage licenses.

The fire chief shall keep a record of all licenses granted by him, or to his knowledge by the superintendent of the state police, for the keeping and storing of explosives, and shall cause a statement containing the names of the persons so licensed and of the place where such explosives are stored to be placed and maintained in each firehouse.

(Ord. dated 12/21/92 § 75(b); prior code § 11-90)

Chapter 8.40
GARAGES

Sections:

8.40.010 Definition.

A private garage or station is a place of storage for one or more automobiles owned and used exclusively by a person for his private use or a place of joint storage of not more than five automobiles owned and used exclusively by the owners thereof for their own private use. All other garages for the purpose of the regulations of this chapter shall be deemed to be public garages and subject to regulation as such.

(Prior code § 11-84)

8.40.020 Garages subject to regulations.

All automobile garages or stations in any building or part of any building where one or more automobiles or other self-propelled vehicles, not including motorcycles, are kept for storage,

manufacture, exhibition, repair, demonstration, sale, rental, hire, painting, adjustment or equipment shall be subject to regulation as either private or public garages.

(Prior code § 11-85)

8.40.030 Private garage regulations.

Private garages shall be subject to the following regulations:

A. Gasoline in excess of five gallons and less than five barrels shall be kept or stored therein only in underground tanks of a design approved by the fire chief and upon a permit issued by him. Gasoline in quantities of five gallons or less shall be kept or stored therein only in one five-gallon nonexplosive can of a type approved by the fire chief.

B. All heating apparatus therein shall be so arranged as to eliminate the hazard of fire or explosion. No stove or forge shall be permitted therein unless separated from the rest of the garage by a fireproof partition at least six feet in height which shall be fitted snugly to the floor.

C. As many proper chemical fire extinguishers and pails of sand as the fire chief shall direct shall be conveniently kept there for use in case of fire.

D. No such garage shall be built nearer than ten feet to any dwelling unless such garage shall be constructed of brick, concrete or other noncombustible material.

(Ord. dated 12/21/92 § 75(b); prior code § 11-86)

8.40.040 Public garage regulations.

Public garages shall be subject to the following regulations:

A. No public garage shall be maintained in any frame building or in any building where women or girls are generally or extensively employed or in any building used in part as a dwelling.

B. The entire floor of every building used as a public garage shall be constructed of cement, concrete, brick, stone or other noncombustible material provided that, upon a permit procured from the fire chief, a wooden floor may be permitted in any portion of such building used solely as a salesroom for the display of new cars containing no gasoline.

C. In every such garage, windows nearer than ten feet to an adjoining building shall be of wire glass, and the sash of such window shall be set in a standard metal frame.

D. Not more than five gallons of gasoline shall be stored in any public garage, and such gasoline shall be stored only in a five-gallon nonexplosive can of a type approved by the fire chief. All gasoline in excess of five gallons shall be stored in tanks constructed as provided in this chapter or in tanks of a design approved by the fire chief when the character of such construction is not provided in this chapter. Subject in all respects to such other regulations as are provided in this chapter, such tanks shall be buried so that the top thereof shall be at least three feet below the surface of the ground and not less than six feet from any building except upon special written permission of the fire chief. Vents shall be installed when fill pipes are not properly vented, and such vent pipes shall be of wrought iron at least one inch in diameter carried to a height to be approved by the fire chief and capped with a double gooseneck.

E. Smoking in a public garage or station is prohibited and signs to this effect shall be prominently displayed in three or more places therein.

F. As many proper chemical fire extinguishers and as many pails of sand as the fire chief shall direct shall be conveniently kept therein for use in case of fire.

G. No stove, forge, boiler or other furnace, flame or open fire and no electric light sparking device shall be permitted in any such garage unless the same shall be protected and enclosed by a fireproof partition at least six feet in height which shall be fitted snugly to the floor. No automobile or receptacle containing gasoline or other inflammable material shall be placed, kept or stored within such enclosure.

(Ord. dated 12/21/92 § 75(b); prior code § 11-87)

8.40.050 Safety alarm for public garages.

The owners or maintainers of all public garages, the entrance to which is situated less than fifty (50) feet from the sidewalk of the street out and over which exit for vehicles is made, unless such way of exit is so situated as to permit a clear and unobstructed view thereof from said sidewalk, shall install and maintain a suitable alarm bell or gong at or near the doorway of such exit sufficient to warn persons traveling upon such sidewalk bordering such way of exit of the approach of all vehicles coming out of such way of exit. Such bell or gong shall be sounded only when necessary and shall not be so operated as to create a nuisance and need not be sounded between the hours of twelve thirty a.m. and six a.m.

(Prior code § 21-12)

8.40.060 Location of public garages restricted.

No public garage or station for the storage, repairing and cleaning of motorcars shall be hereafter erected, kept or maintained within two hundred (200) feet of any dwelling house, except by permission of the common council. Nothing in this section shall be construed so as to affect the keeping or maintenance of any garage now legally existing.

(Prior code § 8-8)

Chapter 8.44
OIL STORAGE PLANTS

Sections:

8.44.010 Definitions.

The following terms, wherever used or referred to in this chapter, shall have the meanings respectively ascribed to them in this section:

"Aboveground tank" means and includes any structure capable of containing liquids which is not buried below the surface of the ground.

"Approved," when used with reference to any equipment or with reference to any part of any oil storage plant, shall be construed to refer to and require the approval of the fire chief.

"Dike wall" means the enclosure about a tank or other receptacle containing explosive or flammable liquids required by Chapter 8.36 of this code.

"Explosive or flammable liquids" means and includes and shall be such as are defined and classified in Sections 8.36.020 and 8.36.030 of this code.

"Fire chief" means the chief of the fire department.

"Foam-producing chemicals" shall be such as shall, when mixed with water in an appropriate generator or when the solutions produced therein are thereafter united in an appropriate delivery chamber or deluge set, produce a foam which, when applied to the surface of burning explosive or flammable liquids, will form a blanket for the rapid extinguishment of fire. Such chemicals shall not be readily subject to deterioration or become foul with age and must produce a tenacious foam, consisting of a mass of minute, long-lasting bubbles of a noncombustible gas, which shall not be easily broken down by vigorous agitation or intense heat. The foam produced therefrom must be such as to float on liquid surfaces and adhere to ordinary solid surfaces, whether vertical or horizontal, and must have no chemical constituents likely to injure seriously persons or merchandise. Such chemicals shall further be such as may be readily and efficiently used by the fire department in the extinguishment of fire with the equipment therefor possessed by the fire department or with the equipment maintained therefor on the premises protected thereby. No foam-producing chemical shall be deemed to be maintained pursuant to this chapter unless it shall be approved by the fire chief.

"Solution main" means a pipeline from a foam-generating plant which shall supply the solution lines leading to more than one tank on any premises.

(Ord. dated 12/21/92 § 75(b); prior code § 11-130)

8.44.020 Foam-producing chemicals Maintenance required in certain instances.

Every person who shall occupy any premises on which shall be located any aboveground tank which shall be used or the storage of explosive or flammable liquids and which shall either singly or together have a capacity in excess of the twenty thousand (20,000) gallons shall maintain on the premises upon which such tanks are located such quantity of fire-extinguishing chemicals as is provided in this chapter for use thereon in case of fire.

(Prior code § 11-131)

8.44.030 Foam-producing chemicals Quantity required.

A. The minimum quantity of foam-producing chemicals which shall at all times be maintained on premises described in Section 8.44.020 shall be determined as follows: unless the table set out in this section shall require the storage of a larger quantity thereof, there shall be maintained such quantity of foam-producing chemicals as will provide six pounds of such chemicals for every square foot of oil surface of the largest aboveground vertical tank for the storage of explosive or flammable liquids located on said premises.

B. The following table is formulated on the basis of the total capacity of the aboveground tanks for the storage of explosive or flammable liquids located on any premises and requires the maintenance of certain minimum quantities of foam-producing chemicals in accordance with the total capacity of all such tanks. If the following table shall require the maintenance of a larger quantity of foam-producing chemicals on any premises than that required by the application of the formula described in subsection A of this section based on the diameter of the largest aboveground vertical tank located thereon, then recourse shall be had to such table and there shall be maintained on such premises the quantity of foam-producing chemicals therein required.

Total Capacity of Tanks in Gallons	Quantity in Pounds of Foam-Producing Chemicals Required
20,000 to 50,000....	1,500
50,000 to 100,000....	3,000
100,000 to 150,000....	4,000
150,000 to 200,000....	5,000
200,000 to 300,000....	6,000
300,000 to 400,000....	8,000
400,000 to 1,000,000....	10,000

In excess of 1,000,000....	12,000

(Prior code § 11-132)

8.44.040 Foam-producing chemicals Storage.

All foam-producing chemicals shall be stored upon premises, where required, in moistureproof containers which shall preserve and make the same readily available for use in case of fire. All containers shall be submitted to and approved by the fire chief. Such chemicals and generating equipment shall be maintained at a point on such premises sufficiently removed from the tanks located thereon that the same may be readily available for use in case of fire, such storage point to be approved by the fire chief.

(Ord. dated 12/21/92 § 75(b); prior code § 11-133)

8.44.050 Foam-producing chemicals Storage places.

When the place of storage of foam-producing chemicals and generating equipment required by this chapter shall have been approved by the fire chief, such chemicals and equipment shall thereafter be maintained at such point unless and until a new location therefor shall be approved by the fire chief. Such storage place and every foam-generating plant, and the means of access thereto, shall be maintained free from any obstruction which will impede or hinder the fire department in the use of the same in case of fire.

(Ord. dated 12/21/92 § 75(b); prior code § 11-134)

8.44.060 Foam generators When required.

On every premises upon which there shall be one or more aboveground tanks used for the storage of explosive and flammable liquids having a total capacity in excess of seventy thousand (70,000) gallons, there shall be maintained one or more foam generators in which the foam-generating chemicals hereinbefore provided may in case of fire be used on such premises by the fire department. The fire chief shall determine the size and number of generators which shall be maintained on every premises upon which generators are required under this chapter. No generator which shall not be approved by the fire chief shall be deemed to comply with the provisions of this chapter.

(Ord. dated 12/21/92 § 75(b); prior code § 11-135)

8.44.070 Foam generators Types.

Foam generators required by this chapter shall be of the one- or two-hopper type. The one-hopper type

of generator shall be of a design which shall provide a hopper into which the foam-producing chemical provided in this chapter may be introduced into a stream of water so as to produce a foam-laden stream of such pressure that the same may be effectively sprayed upon fires of explosive or flammable liquids or delivered into any tank containing such liquids by means of a delivery chamber. The two-hopper type of generator shall be of a design which shall provide two hoppers into which the two chemicals necessary to the production of foam may be separately and simultaneously introduced into two separate streams of water passing through such generator which shall by piping or hose attachments be maintained apart until united in an approved foam-producing deluge set or delivery chamber.

(Prior code § 11-136)

8.44.080 Foam generators Equipment required.

Where under this chapter foam generators are required to be maintained on any premises, there shall also be maintained thereon one or more approved deluge sets, if two-hopper generators are maintained, and one or more approved foam play pipes, if single-hopper generators are maintained, and a sufficient quantity of hose of such size and length as may be required by the fire chief, which will permit the use of such generators and other generating equipment on such premises in the production of foam for application to fires of explosive or flammable liquids outside of tanks or upon and into tanks which are not protected by a foam delivery system. The number and size of all such equipment shall be determined by the fire chief, and the kind and quality thereof shall be such as shall be approved by him.

(Ord. dated 12/21/92 § 75(b); prior code § 11-137)

8.44.090 Foam generators Requirements when foam delivery system is required.

Where under this chapter any premises shall be required to maintain a foam delivery system to any tank on such premises, the foam generators required hereunder shall be of the two-hopper type described in Section 8.44.070. All foam generators shall have such attachments and fittings that the hose lines of the fire department may be readily attached thereto. All generators, whether portable or maintained in a foam-generating plant on any premises, shall be of such type as to be readily movable by the fire department as necessity in case of fire may require.

(Prior code § 11-138)

8.44.100 Foam delivery systems When required.

Every person occupying any premises upon which there shall exist any aboveground vertical tank for the storage of explosive and flammable liquids having a capacity in excess of seventy thousand (70,000) gallons, except tanks equipped with a floating roof of a type approved by the fire chief, shall cause to be provided for each such tank a foam delivery system through which the foam solutions described in this chapter may be brought to such tank for the discharge of foam into the tank interior.

(Ord. dated 12/21/92 § 75(b); prior code § 11-139)

8.44.110 Foam delivery systems Requirements.

The foam delivery system required by Section 8.44.100 shall meet the following requirements:

A. Delivery of Foam Solutions. Such foam delivery system shall be of such type that foam solutions will be delivered through appropriate piping to a delivery chamber attached to the shell at the top of the tank in which the foam solutions will be united to produce the fire-extinguishing foam described in this chapter and from which the foam so produced will be discharged through a discharge outlet into the tank interior.

B. Delivery Chambers. The delivery chambers shall be securely attached to the shell of the tank at or near the top thereof and shall be so located and connected thereto as to preclude the possibility of the tank contents flowing into the delivery chamber and the solution pipelines thereto and to prevent the discharge of foam below the oil surface of the tank. Such chambers shall be so fastened to the tank shell that they will not be seriously damaged in the event of explosion within the tank which may damage or destroy the roof of the tank.

C. Discharge Outlets of Delivery Chambers. The discharge outlet of such delivery chamber may enter the tank interior through the shell of the tank at the top thereof or through the roof. If such outlet shall enter the tank through the roof, an approved flashing joint shall be provided at the point of such entrance so that, in the event of explosion within the tank which shall damage the roof, such outlet will remain intact and uninjured.

D. Vapor Seals. There shall be maintained on the discharge outlet of each delivery chamber an effective and durable vapor seal which shall be readily ruptureable under light foam pressure to permit the discharge of foam into the tank interior but which shall prevent the explosive and flammable vapors within the tank from entering into such delivery chamber.

E. Means of Inspection of Delivery Chambers. All delivery chambers shall be provided with a suitable means of ready inspection to permit proper maintenance and the inspection and replacement of the vapor seals required in this chapter.

F. Deflector Plates, etc. The discharge outlet of each delivery chamber shall be equipped on the inside of the tank with an approved deflector plate or other means of diverting or directing the flow of foam so as to eliminate undue splashing or agitation of the surface of the oil.

G. Number of Delivery Chambers. Tanks not exceeding sixty-five (65) feet in diameter shall be provided with at least one delivery chamber, tanks exceeding sixty-five (65) feet but not exceeding one hundred seventeen and six-tenths (117.6) feet in diameter shall be provided with at least two delivery

chambers and tanks exceeding one hundred seventeen and six-tenths (117.6) feet in diameter shall be provided with at least three delivery chambers. Where more than one delivery chamber is required or provided for any tank, they shall be equally spaced about such tank.

H. Solution Pipelines Construction. Solution pipelines shall extend from such delivery chamber along the shell of the tank to the ground and shall extend from the side of the tank to a point outside of the dike wall surrounding the protected tank and shall then either directly or through solution mains extend to the foam-generating plant of such system.

I. Foam-Generating Plant Location and Requirement. On every premises upon which a foam delivery system is required by this chapter, there shall be maintained a foam-generating plant in which foam-generating solutions shall be produced and from which such solutions shall by piping be directed to the tanks protected by said system. Such plant may be a separate structure of fireproof construction or may be a room on the ground level of a building of fireproof construction, provided such building shall not be devoted in whole or in part to the storage or handling of explosive or flammable liquids. Such plant shall be sufficiently removed from any tank on such premises as to be subjected to a minimum of exposure from fire thereon. Unless peculiar circumstances shall, in the opinion of the fire chief, require, there shall be but one such foam-generating plant for any premises. The location of such plant and the construction and condition thereof shall be such as shall be approved by the fire chief.

J. Foam-Generating Plant Construction and Equipment. The foam generators required under this chapter shall be maintained in the foam-generating plant and shall be so arranged and set up therein and so connected to the water supply lines and to the solution lines or mains as to be ready at all times for instant use. Such connections shall be such that the generators may be readily detached so as to be available for use at other points on such premises as necessity in case of fire may require. An adequate water supply of sufficient volume and pressure to permit the use of all of such generators and to produce such quantity of foam solution as may be required for the tanks protected by such system shall be provided for such plant. Appropriate valves shall be provided within the plant which will permit the supply of water to be directed to one or more or all of such generators. The foam-generating chemicals and other generating equipment required under this chapter shall, so far as possible, be maintained in such plant so as to be available for instant use in case of fire with a minimum of handling.

K. Water Pressure and Capacity of Equipment. If in the opinion of the fire chief the pressure of the water supply to any foam-generating plant shall be inadequate for the proper and efficient operation of the foam-generating and delivery system on said premises, there shall be provided and maintained thereon such electrically operated pumping equipment as will increase the water pressure to the degree which shall be required by the fire chief. The equipment of every foam-generating plant, which shall be maintained pursuant to this chapter, shall be capable of delivering at least three-quarters of a gallon of foam per minute for each square foot of the largest oil surface to be protected by such system, and in no event less than fifty (50) gallons of foam per minute.

L. Size and Location of Solution Mains and Valves. The size of the solution mains and pipelines of the

foam delivery system shall be such as to eliminate undue friction and to supply the tanks protected by such foam delivery system with an adequate supply of foam-generating solutions with a maximum of efficiency and effectiveness. If along such solution mains or pipelines, there shall be valves designed to control the supply of foam solution from the foam-generating plant to particular tanks, such valves shall be located outside of any dike wall and shall be removed from the tank to be supplied through such valves a distance equivalent at least to the diameter of such tank and in any event not less than fifty (50) feet therefrom and from any other tank. Unless peculiar circumstances shall, in the opinion of the fire chief, require, solution mains and pipelines outside of dike walls need not be buried below the surface of the ground if their location is such that they will not readily be exposed to damage. The size of all solution mains and pipelines, and the installation thereof, and the size, design and location of all valves shall be such as shall meet with the approval of the fire chief.

M. Foam Hydrants Requirements. There shall be provided along the solution mains or pipelines of foam delivery systems an adequate number of foam hydrants to which hose lines may be attached for the application of foam to fires of explosive or flammable liquids outside of tanks or upon and into tanks which are not protected by such foam delivery system. If upon such premises there shall be any loading rack, or if there shall be any wharf, dock or pier from which explosive or flammable liquids shall be received from vessels and shall by piping or otherwise be delivered therefrom to the tanks on such premises, solution mains or pipelines shall be so laid that one or more foam hydrants may be provided at or near such loading rack and on or near such wharf, dock or pier. The number, size, construction and location of such foam hydrants shall be such as shall be approved by the fire chief; and such hydrants shall have such attachments and fittings that the hose lines of the fire department may be readily attached thereto.

(Ord. dated 12/21/92 § 75(b); prior code § 11-140)

8.44.120 Restriction on permits to erect or reconstruct tanks.

No permit for the erection or the repair, reconstruction or alteration of any aboveground vertical tank for the storage of explosive or flammable liquids, the diameter of which exceeds twenty (20) feet or the capacity of which exceeds seventy thousand (70,000) gallons, and no permit for the use of such tank for the keeping or storing of explosive or flammable liquids shall be hereafter granted by the common council unless there shall be provided therefor a foam delivery system as provided in this chapter and until the fire chief shall have advised the common council in writing that the provisions of this chapter have been complied with fully in the plans and specifications for the erection of or for the repair, reconstruction or alteration of such tank.

(Ord. dated 12/21/92 § 75(b); prior code § 11-141)

8.44.130 Safety requirements for work on tanks.

No tank used or which shall have been used for the storage of explosive or flammable liquids shall be

repaired, altered or reconstructed, and no opening shall be cut or otherwise made in any tank for the purpose of attaching any foam delivery chamber to or introducing the discharge outlet thereof into any tank or for any other purpose, until written authorization therefor shall have been procured from the fire chief. Such authorization shall not be given by the fire chief until such tank shall have been drained of all explosive or flammable liquids and until the tank interior shall have been thoroughly purged of any explosive or flammable vapors by steam washing and waterflooding or other means approved by the fire chief and until he shall thereafter have tested the interior of the tank with an approved type of indicator to determine that the same is sufficiently cleared of explosive or flammable vapors to permit the doing of the proposed work without danger of explosion. In the event that such work shall require the use of welding or cutting torches or other open-flame devices, consideration shall be given to the proximity of other tanks containing explosives or flammable liquids; and, if in the opinion of the fire chief the proximity of such tanks constitutes a hazard, such authorization shall not be given until such tanks shall have been drained of their contents and filled with water. Such authorization shall be subject to such conditions and restrictions as the fire chief shall determine are required by the peculiar circumstances of each case. The prosecution of such work under such authorization shall be subject to the supervision of the fire department, and the fire chief is empowered to require the discontinuance at any time of any operation on such tanks if he shall consider that such operations cannot be safely continued. The conditions, restrictions and directions of the fire chief shall be complied with strictly.

(Ord. dated 12/21/92 § 75(b); prior code § 11-142)

8.44.140 Reports to fire chief.

Every person who maintains on any premises any aboveground tanks for the storage of explosive or flammable liquids of such capacity that the maintenance of foam-generating chemicals, foam generators or other foam-generating equipment is required by this chapter, shall, annually, make report to the fire chief in writing on such forms as may be prescribed by him of the amount and kind of such chemicals, the number, size and kind of any foam generators, the location on the premises where such chemicals, generators and equipment are maintained, and such other information as he may require. A fee of one hundred seventy-five dollars ($175.00) should be submitted to the fire chief with each application. Where a foam delivery system is maintained, such report shall further set forth the number and location of the tanks protected thereby and the location and equipment of the foam-generating plant thereof. A drawing of such system, showing the location of all water and solution mains and pipelines and all valves and generators of the tanks protected thereby, shall be framed and conspicuously posted in such plant and a copy of such drawing shall be furnished to the fire chief.

(Ord. dated 7/5/05: Ord. dated 12/21/92 § 75(b); prior code § 11-143)

(Ord. dated 2/2/09)

8.44.150 Inspection of premises by fire chief Certificate of approval.

As soon as possible and in no event more than one month after receiving the reports provided in Section 8.44.140, the fire chief shall cause an inspection to be made of the premises as described in said reports. When such inspection shall have disclosed that the premises as maintained fully comply with the provisions of this chapter, he shall issue his certificate of approval of the premises which shall thereafter be maintained on said premises.

(Ord. dated 8/1/94 (part): Ord. dated 12/21/92 § 75(b); prior code § 11-144)

8.44.160 Marking of equipment.

The foam-generating plant on any premises shall be clearly marked with a sign containing the words "Foam House" in letters at least four inches in height. If foam-producing chemicals or foam-generating equipment shall be stored elsewhere on any premises than in a foam-generating plant, such place of storage shall be clearly marked with the words "Foam Supplies" in letters at least four inches in height. All containers for foam-producing chemicals shall be clearly and appropriately marked to indicate the contents thereof.

(Prior code § 11-145)

8.44.170 Rules and regulations of fire chief.

The fire chief shall make periodic inspections of all premises where explosive or flammable liquids are maintained in aboveground tanks and shall be empowered to make such orders and such rules and regulations relative to the storage and maintenance of foam-producing chemicals, materials and equipment as may be necessary to carry out the spirit and letter of this chapter.

(Ord. dated 12/21/92 § 75(b); prior code § 11-146)

8.44.180 Emergency use of foam chemical storage from other premises.

If, in combating any fire of explosive or flammable liquids on any premises, the supply of the foam-producing chemicals maintained thereon shall become exhausted or shall be inadequate for the extinguishment of such fire, the fire chief or other officer of the fire department in charge at such fire, if he shall deem it necessary and that an emergency exists by reason thereof, may direct that a portion of the supply of the foam-producing chemicals maintained on other premises within the city, which are sufficiently removed from such fire as not to be endangered thereby, be taken therefrom for use on the premises upon which such fire exists. The officer of the fire department directing the taking of such chemicals shall cause an accurate record to be made of the chemicals so taken. The city shall at its own expense and at the earliest possible moment after the extinguishment of such fire replace the chemicals so taken. The person upon whose premises such chemicals were used shall be liable for and responsible to the city for the cost of such replacement. The comptroller shall make prompt demand upon such person for the payment to the city of the cost thereof as soon as such chemicals shall have actually been

replaced. If payment thereof shall not be promptly made, the city attorney shall collect the same by appropriate action.

(Ord. dated 12/21/92 § 75(b); prior code § 11-147)

8.44.190 Enforcement standards.

Whenever pursuant to this chapter the fire chief shall make any order or any rule or regulation, or shall be required to make any determination upon or give his approval to the kind or type of foam-producing chemicals and containers therefor, or the kind, type or number of foam generators and foam-generating equipment, or the storage point on any premises for such chemicals and equipment, or the construction or location of any foam delivery system and the equipment thereof, or any other matter or thing, his order, rule or regulation and his determination and approval shall be governed by the following considerations:

A. The location of such premises;

B. The hazard of fire thereon to surrounding properties;

C. The number, size and location of the tanks thereon;

D. The quantity of explosive and flammable liquids maintained and stored;

E. The availability of fire water hydrants and their location with reference to such premises;

F. The available water pressure;

G. The existence of dike walls and their construction and location;

H. The equipment and facilities of the fire department for the use of such chemicals, generators and equipment;

I. Such other legitimate considerations as varying circumstances may properly suggest to the end that the hazard of explosion and fire may be reduced and any explosion or fire of explosive or flammable liquids may be effectively controlled.

(Ord. dated 12/21/92 § 75(b); prior code § 11-148)

8.44.200 Revocation of permits.

In addition to any other penalty, if any person shall violate any provision of this chapter, or any order or

any rule or regulation of the fire chief made pursuant to the authority thereof, the common council may, after a hearing had of which such person shall receive notice and be afforded an opportunity to be heard, revoke any permit it may theretofore have granted to such person to keep or store explosive or flammable liquids upon the premises upon which such violation shall have occurred.

(Ord. dated 12/21/92 § 75(b); prior code § 11-149)

Chapter 8.48
SELF-SERVICE GASOLINE STATIONS

Sections:

8.48.010 Short title Purpose Definitions Facility and site Dispensing operations.

A. Short Title. This section shall be known as and may be cited as an "Ordinance Regulation for Self-Service Gasoline Stations."

B. Purpose and Definitions.

1. The construction and operation of self-service gasoline stations, as defined in this section, shall be permitted subject to the regulations provided in this section.

2. For the purposes of this section, the following definitions shall apply in the interpretation and enforcement of this chapter:

"Gasoline station" is defined as being any place or location, whether located on public or private property, which is equipped with facilities where gasoline, oil products or other liquid fuel used in the operation of motor vehicles or any type of internal combustion engine is dispensed or pumped for sale into the fuel tank of any vehicle, internal combustion engine, or approved container brought to the station or location.

"Person" is defined as any natural person, firm, corporation, association or partnership.

"Self-service gasoline station" is defined as a gasoline station where gasoline, oil products or other liquid fuel is dispensed in any manner other than solely and completely by the owner-lessee-agent or authorized employee of the gasoline station.

"Service station operator," the person responsible for the service station operation or his duly authorized representative who shall be a trained, responsible person sixteen (16) years of age or older.

C. Facility and Sites.

1. The dispensing of liquid fuel by means of self-service automated dispensing systems shall be permitted, provided that the applicant for such a system has submitted complete plans and specifications of the proposed installation to the municipal fire marshal, and has obtained approval of said plans, and further provided that there is compliance with Section 29-330 (and as amended), of Regulations covering the storage, use and transportation of flammable liquids, commissioner of state police, state of Connecticut and with the NFPA 30 Flammable and Combustible Liquid Code, as amended, provided that wherever there may appear a conflict between any provision of the Code and any regulation in this section, the regulation shall control.

2. Any person constructing a self-service facility or making changes or alterations in the methods of dispensing liquid fuel shall first notify the fire marshal of the city in writing, prior to submitting plans for his approval.

3. Self-service automated liquid fuel dispensing systems shall be equipped with a fire-extinguishing system and controlling console of a type which is UL approved and approved by the state Fire Marshal and installation of such equipment approved by the fire marshal of the city, details of which shall be included with plans submitted to the fire marshal of the city for approval.

4. Every island having a self-service dispensing pump shall be protected by bumper guards.

5. Every self-service gasoline station shall be equipped with an automatic overhead fire suppression system which shall be UL approved and approved by the fire marshal of the city with a canopy covering each overhead fire suppression system. Said system shall cover the entire liquid fuel dispensing area and be so constructed that, once activated, power cannot be restored until the system is recharged. The release mechanism for such a system must be capable of being mechanically operated for self-service gasoline stations.

6. A voice communication system approved by the fire marshal of the city, which shall allow direct voice communication at all times between the person dispensing the liquid fuel and the console operator, shall be required.

7. A main power shut-off switch or switches shall be installed in a remote control location and not more than one hundred (100) feet from the dispensers.

8. Instructions for the operation of the dispenser shall be conspicuously posted on either the dispenser or the dispenser island.

9. A list of emergency procedures and instruction shall be posted in the immediate vicinity of all remote control locations.

10. Warning signs shall be conspicuously posted on the dispensing area incorporating the following or equivalent wording:

a. "Warning It is unlawful and dangerous to dispense gasoline into unapproved containers;"

b. "No smoking;"

c. "Stop motor before filling tank;"

d. "Not to be operated by persons under 16 years."

11. There shall be telephone communications available at the console for emergency notification of fire and/or police departments.

12. Approved portable fire extinguishers, having a minimum classification of 5 B.C. shall be provided and located so that an extinguisher is within one hundred (100) feet of each dispensing device.

13. All glass installed in the kiosk building shall be bulletproof.

D. Dispensing Operations.

1. All self-service stations shall have at least one attendant on duty while the station is open to the public. During all times that liquid fuels are being dispensed, the attendant's primary function shall be to supervise, observe and control the dispensing of said liquid fuel. It shall also be the responsibility of the attendant to control sources of ignition, and to immediately handle accidental spills and fire extinguishers, if needed. The attendant or supervisor on duty shall be capable of performing the functions and assuming the responsibilities covered in this section.

2. Filling containers. No portable container shall be filled with flammable or combustible liquid while inside a motor vehicle. No container that is not tested or listed by a certified testing laboratory or is in excess of five gallons will be filled.

3. All automatic fire suppression systems shall be inspected and tested as directed by NFPA 17 Section 2-10 and the manufacturer's instruction list.

4. No person under the age of sixteen (16) years shall operate a gasoline dispensing device at a self-service gasoline station.

5. The dispensing area shall at all times be in clear view of the attendant and the placing or allowing of any obstacle to come between the dispensing area and the attendant control area shall be prohibited. All vans and trucks must be limited to outside islands and directional signs are to be posted.

6. The controlling mechanism console providing power to the pump motor shall be under the constant supervision of the owner, operator or duly authorized employee while liquid fuel is being dispensed. The controlling mechanism console shall be properly protected against physical damage by motor vehicles. Constant supervision shall mean that the console operator must be at the controls during their operation.

7. Hose nozzle valves used at a self-service station for the dispensing of liquid fuels shall be approved by the fire marshal of the city and shall be automatic closing type without a latch open device.

8. Every self-service gasoline station which shall provide service other than the dispensing of flammable or combustible liquids, such as automotive repair and snack shop or convenience store operation, shall not permit the attendant designated to control and supervise the self-service dispensing operation to engage in any other operational activities of the station at any time.

9. Those who are responsible for the installation of the dispensing and fire-suppression systems shall provide instruction and training to all console attendants in the use and operation thereof.

10. Where two or more fuel dispensing islands are parallel to one another, surveillance of all dispensing devices and cars by use of closed circuit T.V. cameras, shall be available to the attendant at all times if required by Chapter 7 NFPA Standard "30" Section 7-7.4.7. The requirement shall be inspected and given approval by the state Fire Marshal's office in accordance with this section.

11. No liquid shall be dispensed until the authorized employee is prepaid for the amount of liquid to be dispensed.

12. The controlling mechanism console shall include a disconnect switch which will instantly cut off all pumping power to all dispensing units at the service station.

13. Approved self-service dispensing devices, remotely controlled will be permitted. Use of coin-operated or card-operated dispensing devices is prohibited.

(Prior code § 21-22)

Chapter 8.52
FIREWORKS

Sections:

8.52.010 Sale or use without permission prohibited.

The sale, discharge, firing or use of firecrackers, rockets, torpedoes, Roman candles, fire balloons, fireworks, pistols, canes, cannons and other appliances using blank cartridges or using caps containing chlorate or potash mixture or any combustible or explosive composition of any substance or combination of substances designed or intended to produce a visible or audible pyrotechnic effect by combustion, explosion, conflagration, deflagration or detonation is prohibited, except when done under the authority of the park department, the board of recreation or municipal auspices or when permitted by special authority of the common council as provided in this chapter.

(Prior code § 11-98)

8.52.020 Application for display permission.

The common council may, upon written petition addressed to it and filed in the office of the city clerk, grant to such persons as it may determine permission for displays of fireworks and pyrotechnics under the supervision of the fire chief and the chief of police; provided that in no case shall any such permit be granted unless there shall appear upon said petition the place, date and time of day where it is proposed to hold such display, and the person under whose auspices the same is to be held, together with a general description of the character of fireworks or pyrotechnics proposed to be used, and the occasion, reason for or purpose in making such display.

(Ord. dated 12/21/92 § 75(a),(b): prior code § 11-99)

8.52.030 Sale of revolvers or pistols pursuant to state law unaffected.

Nothing in this chapter shall be deemed to prohibit the sale of pistols or revolvers in compliance with the laws of the state.

(Prior code § 11-100)

8.52.040 Violations Penalty Exceptions.

Any person who shall violate any provision of Section 8.52.010 shall be punished as provided in Chapter 1.12 of this code; provided, however, that any of such articles may be sold to the city or any of its legally authorized boards, departments or agencies for the purpose of municipal displays and to any person who shall be granted permission to make such a display pursuant to the provisions of this

chapter.

(Prior code § 11-101)

Chapter 8.56
GARBAGE COLLECTION AND DISPOSAL

Sections:

Article I. In General

Article II. Private Collectors Dump License

Article III. Solid Waste Disposal

8.56.340 Violation Penalties.

Article I.
In General

8.56.010 Definitions.

Terms used in this chapter shall be construed as follows:

"Barrel" means a receptacle of thirty-one and one-half (31½) gallons, standard size.

"Combustible waste" means all waste capable of incineration, except garbage as defined in this section, such as paper, rags, wood, excelsior, grass, leaves and like waste matter.

"Extraordinary waste" means the waste resulting from the repair, remodeling, removal, construction or demolition of buildings, sidewalks or other structures, or resulting from any other structural or excavatory work, or the waste resulting from the conduct or operation of any commercial or industrial business.

"Garbage" means offal, vegetable, fruit and animal refuse.

"Noncombustible waste" means all waste not capable of incineration such as ashes, metalware, glassware, earthenware, noninflammable compositions and other waste material the greater part of which is not capable of incineration.

"Ordinary waste" means the general and usual waste that accumulates on any vacant land or in, or upon the land appurtenant to, any dwelling house, tenement house, apartment house or other building used for residential purposes.

"Person in charge or control" means any person other than the owner who shall have either the right or the duty, as between himself and the owner, to keep any premises in a suitable and proper condition of maintenance and repair or, whether or not he shall have such right or duty, shall be in possession of any premises or shall represent the owner's possession thereof.

"Waste" or "waste matter" means any garbage, offal, dead animal, house dirt, paper, ashes, rags, wood, metalware, glassware, earthenware, vegetable, animal and mineral matter and all other organic or inorganic refuse.

(Prior code § 13-1)

8.56.020 Duty of owners in regard to general waste.

All owners or other persons in charge or control of any land or building shall cause such land and such building, at all times, to be kept and maintained clean and clear of all waste matter and shall prepare for collection and disposition, or shall collect and dispose of such waste matter as follows:

A. All ordinary waste shall be prepared for collection and disposition by the director of public facilities in the manner provided in this chapter.

B. All extraordinary waste shall be collected and disposed of, or shall be caused to be collected and disposed of, by transporting all garbage, and such combustible waste as may in the discretion of the director of public facilities be reasonably handled, to the city incinerator to be burned, and by transporting all other such waste to one of the city dumps designated by the department of health and social services for this purpose.

(Ord. dated 12/21/92 § 75(e), (g); prior code § 13-2)

8.56.030 Order to remove waste.

When any refuse matter has accumulated in any place, the director of health and social services shall serve notice thereof upon the owner or person in charge or control of the land or building on which such waste appears, and such owner or other person shall within five days of receipt of such notice cause the same to be removed. If neither the owner nor any person in charge or control of such land or building can be found by the director, he shall notify the director of public facilities of the facts, and the director shall thereupon enter upon such property and remove such refuse. The expense of such removal shall be charged to the owner of such property and may be collected by the city in an action at law.

(Ord. dated 12/21/92 § 75(f), (h); prior code § 13-3)

8.56.040 Preparation for collection Ordinary waste.

The owner or person in charge or control of any premises upon which ordinary waste shall have accumulated shall place the same for collection by the director of public facilities in such part of the premises as shall be convenient for removal or as shall be designated by the department of health and social services and such waste shall be prepared for collection in the manner provided in this chapter.

(Ord. dated 12/21/92 § 75(f), (g); prior code § 13-4)

8.56.050 Preparation for collection Garbage.

All garbage shall be drained of surplus water and shall be securely wrapped in paper and deposited in suitable watertight receptacles. Each such receptacle shall be constructed of metal, shall have a tight-fitting cover, and shall not be greater in size or volume than one barrel. No ashes, sweepings or other

inorganic matter shall be placed in the same receptacle, or mingled and presented for collection, with any garbage.

(Prior code § 13-5)

8.56.060 Preparation for collection Private disposal of garbage in lieu of collection.

Any person subject to the provisions of Sections 8.56.040 and 8.56.050 who shall desire to dispose of garbage in a manner other than by collection as therein provided may be exempt from the terms thereof upon securing from the director of health and social services a certificate setting forth the method of disposal to be followed by such person and the director's approval thereof. No person holding such certificate shall dispose of garbage in any other manner than that specified therein or than by collection in accordance with the terms of this chapter.

(Ord. dated 12/21/92 § 75(h); prior code § 13-6)

8.56.070 Preparation for collection Combustible waste.

All combustible waste shall be deposited in suitable metal receptacles and each such receptacle shall have a capacity not in excess of one barrel; provided, however, that cardboard or wooden containers need not be presented for collection in such receptacles if reduced to a flattened condition and securely tied in bundles not in excess of four feet in length and not in excess of two feet in diameter, and that dead shrubbery, limbs of trees and other like waste need not be presented for collection in such receptacles if securely tied in bundles not greater than four feet in length and not greater than two feet in diameter. Such combustible waste shall not be placed in the same container, or mingled and presented for collection, with any garbage.

(Prior code § 13-7)

8.56.080 Preparation for collection Noncombustible waste.

All noncombustible waste shall be deposited in metal receptacles of a size and description similar to receptacles to be used for depositing combustible waste. No noncombustible waste shall be placed for collection in any receptacle containing garbage or combustible waste.

(Prior code § 13-8)

8.56.090 Location of receptacles for waste matter.

The department of health and social services, the director of health and social services or any person acting under the direction of the director is empowered to designate by order the placing of any

receptacle used for the storage of garbage. They are authorized and empowered to order the removal or change of location of any box or receptacle used for holding or keeping any other waste matter whenever in their judgment its location is dangerous or detrimental to public health.

(Ord. dated 12/21/92 § 75(g), (h); prior code § 13-9)

8.56.100 Replacement of unsuitable waste receptacles required after notice.

Any waste receptacle that does not conform to the provisions of this chapter or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof must be promptly replaced by a proper receptacle upon receipt of notice to that effect from the director of public facilities and, if not so replaced within ten days after the receipt of such notice, such nonconforming or defective receptacle may be collected and disposed of by the city as waste.

(Ord. dated 12/21/92 § 75(f); prior code § 13-10)

8.56.110 Municipal incinerators Fee established.

A. All ordinary or extraordinary waste material except demolition materials may be deposited at any municipal incinerator by any person, firm or corporation and will be disposed of at the municipal incinerator for twelve dollars ($12.00) per ton; provided, however, that only waste material, or that portion thereof, which is collected within the city may be so deposited.

B. All monthly charges of less than one dollar ($1.00) will not be billed.

(Prior code § 13-11)

8.56.120 Municipal incinerators Monthly fee billing.

An person disposing of waste material at any municipal incinerator will be billed monthly by the city, and accounts are due and payable thirty (30) days from the date of billing.

(Prior code § 13-12)

8.56.130 Municipal incinerators Procedure upon failure to pay fee billing.

Any person who does not pay his account as provided in Section 8.56.120 will be suspended from use of the municipal incinerators and this will include the deposit of all waste materials by such delinquent at any municipal incinerator.

(Prior code § 13-13)

8.56.140 Municipal incinerators Director's right to reject material Infraction of rules and regulations.

The director of health and social services or any of his agents shall have the right to reject any or all loads at the municipal incinerators, and any infraction of the rules and regulations of such director or his agents will result in either temporary or permanent suspension of the use of such municipal incinerators.

(Ord. dated 12/21/92 § 75(h); prior code § 13-14)

8.56.150 Certain prohibitions in collection of garbage.

No person engaged in collecting or transporting garbage shall do, or permit to be done, anything in connection therewith which shall needlessly be offensive to any person, place, building, premises or highway.

(Prior code § 13-15)

8.56.160 Duties, powers of director of public facilities in regard to waste collection.

The director of public facilities shall collect and remove all ordinary waste properly prepared and set out for collection. He shall deliver all garbage so collected, and such combustible waste as may in his discretion be reasonably handled, to the municipal incinerator for burning. He shall deposit all other waste so collected upon the city dumps. He may, in his discretion, collect extraordinary waste when such waste shall be presented to him, in accordance with the provisions of this chapter, in reasonable and nonexcessive amounts. He shall prepare and publish in accordance with the provisions of Section 65 of the Charter and Related Laws compilation found on file in the office of the city clerk such regulations as he may deem advisable as to the time and days of collection of each of the forms of refuse matter described in this chapter, and may, from time to time, change and modify such regulations. Such regulations and changes shall become effective one week after publication, provided that before publication such regulations and any changes thereof as deal with the collection of garbage shall be approved by the director of health and social services.

(Ord. dated 12/21/92 § 75(f), (h); prior code § 13-16)

8.56.170 City dumping regulations.

No person shall deposit or cause to be deposited any loose garbage, waste or other refuse matter of any description on any street, building or private land, except land utilized as a city dump, in the city. No garbage shall be deposited upon any city dump. No waste material of any kind shall be deposited upon any city dump during periods when it is closed; provided, however, that signs clearly indicting the hours during which the dump is closed must be posted at the entrance to the dump by the director of health and

social services.

(Ord. dated 12/21/92 § 75(h); prior code § 13-17)

8.56.180 Storage of certain wastes near dwellings restricted.

The keeping, storing, sorting or handling of scrap iron, rags, bones or used metal or waste matter of any character in any building or enclosure within two hundred fifty (250) feet of any dwelling is prohibited, unless permission is first obtained from the common council. Nothing in this section shall be construed to affect such keeping, storing, sorting or handling by establishments legally existing on July 6, 1959.

(Prior code § 13-18)

Article II.
Private Collectors Dump License

8.56.190 Dump license required.

No person, other than those employed therefor by the city, shall deposit upon a city dump ordinary or extraordinary waste which has been collected and transported in the course of the conduct of the business of collection and removal of waste matter without first having obtained a license from the director of health and social services authorizing him to deposit the same thereon.

(Ord. dated 12/21/92 § 75(h); prior code § 13-30)

8.56.200 Application Prerequisites to issuance.

The license required by Section 8.56.190 shall be granted only upon a showing by the applicant that he conducts all or a part of his business of collecting and transporting waste matter within the city. In the event such applicant conducts his business partly in and partly outside the city, he shall be permitted to deposit only that ordinary and extraordinary waste which has been collected in the city. Such applicant must, as a part of his application, submit the year, model, body type, serial number, motor number and registration of all vehicles which he intends to use in depositing waste matter on any city dump.

(Prior code § 13-31)

8.56.210 Fee.

The fee for the license required by Section 8.56.190 shall be twenty-five dollars ($25.00) a year and shall be paid at the time of the filing of the application.

(Prior code § 13-32)

8.56.220 Issuance of vehicle tags.

The director of health and social services, upon approval of any application in accordance with the provisions of Sections 8.56.190 through 8.56.210, shall issue to each licensee a metal license tag for each vehicle which must be exhibited on the exterior of each vehicle so that it shall be plainly visible at all times while the vehicle is on any city dump.

(Ord. dated 12/21/92 § 75(h); prior code § 13-33)

8.56.230 Regulations for licensees.

All holders of private collector's dump licenses, and their employees, agents and servants, shall strictly observe all oral instructions and directions issued by the city employees who are in charge of any city dump, and all written regulations which the director of health and social services may issue from time to time, relative to the time, place and manner of utilizing any city dump and their conduct and demeanor while present on any city dump. No such licensee or his employees, agents and servants shall set any fires on any city dump without permission of the fire chief of the city and any such fires which are set with such permission of the fire chief shall be under his direction and control.

(Ord. dated 12/21/92 § 75(b), (h); prior code § 13-34)

8.56.240 Revocation or suspension.

In addition to any criminal penalties imposed, the director of health and social services is empowered to suspend for not more than thirty (30) days or revoke any license granted under Sections 8.56.190 through 8.56.220 to any person who shall violate any of the provisions of this chapter relating to dumping.

(Ord. dated 12/21/92 § 75(h); prior code § 13-35)

8.56.250 Appeal from revocation.

Any person aggrieved by the action of the director of health and social services in revoking a license issued under Sections 8.56.190 through 8.56.220 may appeal in writing to the mayor within five days after receiving notice of such action from the director. The mayor shall thereupon set the appeal down for hearing before himself or any other city official whom he may designate other than one in the department of public facilities. The appeal must be heard within ten days after the written appeal is received by the mayor, and a decision thereon must be rendered in writing within ten days after the appeal is heard. If the city official hearing such appeal shall find that the action of the director of health and social services was unwarranted by the facts adduced at the hearing, he may vacate the revocation or

reduce the penalty to suspension not to exceed ninety (90) days from the date upon which the revocation was effective. If such city official shall find that the action of the director of public facilities was warranted by the facts adduced at the hearing, he shall confirm the revocation and such revocation shall thereupon become final. Any licensee whose license has been revoked may reapply for a license at any time after one year from the date upon which the revocation was effective; provided, however, that any applicant whose license has been revoked more than once and suspended more than once shall not be eligible for a license under this chapter. The above prohibitions on licensees shall extend to any employee, agent or servant who shall have actually committed any of the acts for which a license is revoked or suspended under this chapter.

(Ord. dated 12/21/92 § 75(e), (h); prior code § 13-36)

Article III.
Solid Waste Disposal

8.56.260 Definitions.

For the purposes of this article:

"Person" means any individual, partnership, firm, public or private corporation.

(Prior code § 13-19)

8.56.270 Use.

No person engaged in the creation, collection, handling, transportation, dumping and/or disposal of solid wastes which are generated within the city's boundaries, from commercial, industrial, agricultural or private mining operations (but excluding wastes which are toxic or hazardous) shall temporarily or permanently store, deposit, dump or dispose of any such waste except at a disposal facility designated by the director of public facilities of the city.

(Ord. dated 12/21/92 § 75(f); prior code § 13-20)

8.56.280 Rules.

A. All persons or their agents having the right to use the facilities provided by the city for disposal of such waste shall abide by and conform with all the regulations provided in this article, and/or with all regulations, instructions or orders of the director of public facilities to supervise disposal operations at the facility provided therefor, and with all signs and notices posted at the city disposal facility or at the office of the building official pursuant to any order of the city council.

B. No persons or their agents having the right to use the city disposal facility as provided in this article,

shall be permitted to enter upon or use the city disposal facility for disposal operations except during the hours specified by notice posted at the entrance to said facility or at the office of the city.

(Ord. dated 12/21/92 § 75(f); prior code § 13-21)

8.56.290 Removal of material.

No persons or their agents shall, except by permission of the city council, remove any article or object which has been stored, deposited, dumped or disposed of at the city disposal facility.

(Prior code § 13-22)

8.56.300 Fees.

All persons or their agents determining to use the disposal facility will be assessed the actual current cost of disposal per cubic yard or per ton of said solid waste as determined by the city director of public facilities.

(Ord. dated 12/21/92 § 75(f); prior code § 13-23)

8.56.310 Review of fees.

The city director of public facilities shall review the actual costs of disposal of solid waste at the disposal facility at least two times annually and he shall report the same to the mayor and the city building official.

(Ord. dated 12/21/92 § 75(f); prior code § 13-24)

8.56.320 Application and payment of fees.

A. All persons or their agents engaged in the creation, collection, handling, transportation, dumping and/or disposal of solid wastes which are generated within the city's boundaries shall file with the application for demolition permit an estimate of the cubic yards or tons of said solid waste and pay to the city building official the actual current cost of the disposal of said solid waste as determined by the city director of public facilities as set forth in Section 8.56.300 of this chapter.

B. If the actual amount of cubic yards or tonnage is greater than that estimated, the balance of the actual cost of disposal shall be billed to the person applying for the demolition permit. If the balance is not paid within ten days of mailing said bill, the person delinquent in payment shall not be granted any further demolition or disposal permits until all moneys due the city are paid in full.

(Ord. dated 12/21/92 § 75(f); prior code § 13-25)

8.56.330 Issuance of demolition permit.

The building official of the city may impose a waiting period of not more than ninety (90) days before granting any permits for the demolition of any building or structure or any part thereof.

(Prior code § 13-26)

8.56.340 Violations Penalties.

Any persons and/or their agents who violate any of the provisions of this chapter shall be fined not less than one hundred dollars ($100.00) for each violation. Each day that said violation continues shall constitute a separate offense punishable by the same fine.

(Prior code § 13-27)

Chapter 8.60
SOLID WASTE COLLECTION AND DISPOSAL

Sections:

8.60.010 Purpose of chapter.

An ordinance codified in this chapter regulating the accumulation, collection, storage, removal and disposal of solid waste, and providing for a system of refuse collection and disposal and the administration thereof, for the protection of the public health, safety and welfare. It is consequently found and declared that:

A. The city is authorized by law to regulate the disposition of solid waste generated within its boundaries and to license solid waste collectors;

B. The city is also authorized by Connecticut General Statutes Section 22a-220a to designate the area where solid waste generated within its boundaries shall be disposed;

C. The city has executed an agreement with the Connecticut Resource Recovery Authority requiring it to cause all acceptable solid waste generated within its boundaries to be delivered to the Bridgeport Resource Recovery System;

D. The public health, safety and welfare of the city will be best served by requiring the delivery of acceptable solid waste to a transfer station for processing by the Bridgeport Resource Recovery System into products which have an economic value or to Bridgeport Resco for incineration; and

E. The enactment of the ordinance codified in this chapter is in furtherance of the city's approved regional solid waste management plan.

(Ord. dated 1/22/91 § 1)

8.60.020 Definitions.

For the purposes of this chapter:

"Acceptable solid waste" means unwanted or discarded material of the kind normally collected or disposed of, or caused to be collected or disposed of, by or on behalf of a municipality through private or municipal collection, and commercial, governmental and light industrial waste for which a municipality is required by state law to make provisions for the safe and sanitary disposal thereof, but not including in any case special handling waste or bulky solid waste.

"Bridgeport resource recovery system" means the solid waste disposal and energy recovery and steam and electric facility ("facility") designed, constructed, operated and maintained by an affiliate of Signal Resco, Inc. ("Resco") pursuant to an agreement with the Connecticut Resources Recovery Authority ("CRRA") located in Bridgeport together with the transfer station and the CRRA landfill or landfills provided by or designated by the CRRA.

"Bulky solid waste" means solid waste comprised of land clearing debris and waste resulting directly from demolition and construction activities which can be disposed of in a landfill holding a permit issued by the Connecticut Department of Environmental Protection under Section 22a-209-1 and the following of its regulations or any successor provisions.

"City" means the city of Bridgeport.

"Director" means the director of public facilities, city of Bridgeport or the person named by the director to perform the duties of the director in his absence, in the enforcing of the provisions of this chapter.

"Hazardous waste" means pathological, biological, cesspool or other human wastes, human and animal remains, radioactive, toxic and other hazardous wastes which according to federal, state or local rules or regulations from time to time in effect require special handling in their collection, treatment or disposal, including those regulated under 42 U.S.C. Section 6921-6925 and regulations thereunder adopted by the United States Environmental Protection Agency pursuant to the Resource Conservation and Recovery Act of 1976, 90 Stat. 2806, 42 U.S.C. Section 6901, such as cleaning fluids, crankcase oils, cutting oils, paints, acids, caustics, poisons, drugs, fine powdery earth used to filter cleaning fluid and refuse of similar nature.

"Person" means any individual, firm, partnership, association, corporation, company, public utility or organization of any kind, but excluding the city, its officers, boards, agencies or departments.

"Special handling waste" means:

1. Hazardous waste;

2. Dirt, concrete and other nonburnable construction material and demolition debris;

3. Large items of machinery and equipment, such as motor vehicles and major components thereof, agricultural equipment, trailers and marine vessels, and any other item of waste exceeding six feet in any one of its dimensions or being in whole or in part of a solid mass, the solid mass portion of which has dimensions such that a sphere with a diameter of eight inches could be contained within such solid mass portion, including, in the context of deliveries to the facility, bulky solid waste;

4. Explosives, ordinance materials, oil, sludges, highly inflammable substances, hazardous chemicals, tires and other materials the acceptance of which, in the judgment of Resco, reasonably exercised, is likely to cause damage to or adversely affect the operation of the system, constitute a threat to health or safety, or violate or cause the violation of any applicable federal, state or local law, regulation or judicial or administrative decision or order.

(Ord. dated 12/21/92 § 38; Ord. dated 1/22/91 § 2)

8.60.030 Source separation of material.

A. The director shall establish the necessary rules and regulations to comply with the regulations issued pursuant to Public Act No. 87-544 "An Act Mandating Recycling in Municipalities, and Concerning Source Reduction Planning" as amended and/or supplemented. The following items may be required to be recycled: cardboard, glass food containers, metal food containers, newspapers, office paper, scrap metal, storage batteries, waste oil, yard waste, high density polyethylene bottles or jars of any size or shape used to package food, household laundry products, or crankcase oil (HDPE plastic container), polyethylene terepthalate container of any size or shape used to package beverages (PET plastic food container), dry cell batteries and scrap tires.

B. All items designated by the director for mandatory recycling shall be separated and kept apart from other solid waste by the property owner or his agent, packaged in the prescribed manner, placed at the curb in accordance with the scheduled collection as determined by the director, and collected by the city or by any contractor employed by the city or by the property owners' private collector.

C. Any solid waste left for collection which contains any items designated by the director for mandatory recycling shall be refused by any collector within the city. Such material shall also be refused at the solid waste facility designated for disposal.

D. No person, firm or corporation other than the owner, lessee or any occupant of a residential dwelling or commercial establishment, or any employee of the city or any contractor employed by the city for the removal of items to be recycled, shall pick up, remove, destroy or interfere with the mandatory recyclable items, or any part thereof.

(Ord. dated 1/22/91 § 3)

8.60.040 Solid waste disposal facility.

A. Pursuant to Connecticut General Statutes, Section 22A-220A, the common council issues notice of its intent to designate, and upon compliance with the provisions of state law shall by resolution designate the Bridgeport resource recovery system as the area where acceptable solid waste generated within the boundaries of the city by residential, business, commercial or other establishments shall be disposed. On and after the effective date of such resolution of the common council, each person collecting any acceptable solid waste generated within the boundaries of the city shall deliver all such waste to the Resco Waste to Energy Plant or to the transfer station located at Asylum Street unless they are incapable of accepting acceptable solid waste at the time of delivery, in which event such solid waste shall be delivered to the portion of the Bridgeport resource recovery system designated by the director. Resco, the transfer station or any alternate location designated by the director shall be the city's solid waste disposal facility.

B. Acceptable solid waste, bulky solid waste, and items designated for mandatory recycling shall be separately delivered to the solid waste disposal facility. No solid waste collected or produced outside the city limits shall be disposed of or deposited at the designated solid waste disposal facility. Acceptance of a city license by a private collector acknowledges the right of the city to inspect each delivered load. Each attempt by any private collector to dispose of or deposit at city facilities any solid waste produced or collected outside the city shall constitute a violation of this chapter.

(Ord. dated 1/22/91 § 4)

8.60.050 Solid waste collection requirements.

A. The owner of each premises where solid waste is created or generated shall provide, at a suitable place upon such premises, sufficient receptacles for receiving and holding such solid waste during the intervals between collections. Solid waste shall be stored in watertight, tightly covered cans, containers, plastic bags or in a manner acceptable to the director. The standard unit of collection for household solid waste shall be twenty (20) and thirty (30) gallon containers. Each receptacle shall not weigh more than seventy-five (75) pounds when full. Containers shall be maintained in good condition free of holes and fissures and shall be equipped with securely fitting covers.

1. All cartons must be collapsed and tied in bundles weighing more than fifty (50) pounds. No dimension shall be in excess of three feet.

2. Tree trimmings and brush shall be tied in bundles of not over four feet in length, capable of being handled by one man. No loose material will be collected by the city.

B. All refuse containers shall be maintained by the owners thereof and promptly replaced when no longer fit for use. Containers not conforming to the requirements set forth by this chapter and deemed a

sanitary or accident hazard, as determined by the director or his duly authorized agents, may be confiscated by the city and disposed of, without compensation to the owner.

C. The property owner or the person served shall have the refuse receptacles or containers placed as near to the curbline as is practicable at the time designated by the director on days on which collections will be made; provided, however, that refuse containers or receptacles may be so placed for collection on the evening preceding the date on which collections will be made in any residential area of the city.

(Ord. dated 1/22/91 § 5)

8.60.060 Unlawful depositing.

A. No person shall place, or allow to be placed, any solid waste in any street, alley or other public place, or upon any private property, whether owned by such person or not, within the city except in proper containers, or otherwise properly prepared for collection, unless with express approval granted by the director. No person shall throw or deposit any solid waste in any stream, sewer or other body of water.

1. Any uncontainerized accumulation of solid waste on any premises is declared to be a nuisance and is prohibited. Failure to remove any accumulation of solid waste within five days after written notice to remove same shall be deemed a violation of this chapter.

B. No person shall cast, place, sweep or deposit, or allow the same to occur, anywhere within the city any solid waste in such a manner that it may be carried or deposited by the elements upon or in any street, sidewalk, alley or other public place or into any occupied premises.

C. It is unlawful for any person, firm or corporation to place hazardous wastes or similarly dangerous substances, as determined by the director, into any refuse container or to transport any such substance to the solid waste disposal facility.

D. No person shall deposit any solid waste in any city receptacle in a city park which has been brought from any area outside said city park. This provision shall not prohibit disposal of garbage, rubbish or waste created by activities in said park, such as by the consumption of food.

E. For the purpose of this chapter, "person" is defined as an individual, partnership, firm, corporation or other legal entity.

(Ord. dated 11/3/03: Ord. dated 1/22/91 § 6)

8.60.070 License required to collect or transport solid waste.

A. The director shall be the licensing and registration authority for all solid waste collectors, vehicles and refuse containers operating within the city.

B. It is unlawful for any person to collect or remove solid waste in the city or to transport the same upon or through any street or public place of the city unless such person is an employee or agent of the city assigned to such work, has been granted a license by the director to do so, is the employee of a person who has been so licensed, or is the actual producer of such refuse within the city or his employee, then and there engaged in transporting the same from the premises where produced to any area where public disposal is permitted.

C. It is unlawful for any employee of the actual producer of any solid waste to collect, remove or transport such waste for more than one actual producer thereof, or for such employee or any producer to combine or commingle within the city the waste of more than one producer, or for any person to act as the employee of more than one producer for the purpose of collecting, removing or transporting such waste upon or through any street or public place of the city unless such person has been granted a license by the director.

D. Each licensed solid waste collector shall obtain a separate registration for each vehicle and/or refuse container he operates within the city. When a vehicle is employed to transport more than one refuse container, each container to be transported as well as the vehicle shall require a separate registration. Registrations shall not be transferable from vehicle to vehicle nor container to container; provided, however, the director may allow such temporary transfer of registrations in hardship situations, such as a temporary breakdown of an individually licensed vehicle.

(Ord. dated 1/22/91 § 7)

8.60.080 Vehicle requirements.

Any person permitted by this chapter to collect, remove or transport solid waste over the streets of the city shall use containers or vehicles provided with tight covers and so constructed and operated as to prevent offensive odors escaping therefrom and refuse from being blown, dropped, spilled or leaked therefrom.

(Ord. dated 1/22/91 § 8)

8.60.090 License, registration and disposal fees.

A. The director shall establish license, registration and disposal fees for the privilege of engaging in the business of collecting or removing solid wastes in the city or transporting the same through the streets or public places of the city, and of disposing of or depositing same at the city's solid waste disposal facilities.

B. Prior to issuance of any license and the collection of any license, registration or use fees, the director shall determine that the proposed licensed operation:

1. Will not create a nuisance;

2. Will not create or aggravate a traffic or health hazard;

3. Will result in efficient, prompt and cleanly collection service;

4. Will meet all state health and safety standards as to construction of vehicles.

C. The license, registration and disposal fees for each of the types of solid wastes shall be established in accordance with the rules and regulations concerning the collection, transportation and disposal of solid waste as approved by the common council.

D. The director shall establish such rules and regulations as are appropriate for the administration of the provisions of this section.

(Ord. dated 1/22/91 § 9)

8.60.100 License and registration Application and renewals.

A. Applications for licenses, renewals of licenses and vehicle and/or refuse container registration under this chapter shall be submitted in writing to the director. Each application shall contain the following information:

1. The name and address of the applicant. If the applicant is a proprietorship firm or partnership, the names of all owners or partners shall be listed; if the applicant is a corporation, the names and title of each of the officers shall be listed;

2. The purpose for which the license is sought;

3. The area within which the applicant wishes to collect or transport solid waste;

4. The number, kind and capacity of the vehicles and other equipment to be used for such purposes, together with their license plate numbers.

B. Each application shall be accompanied by the deposit of the license and registration fee required by the provisions of this chapter. If the application complies with the provisions of this chapter, the director shall specify the term for which such license is granted, not to exceed one year, and, as a condition of granting the requested license and/or registration, may impose such other conditions as he may deem to be in the best interests of the public health and welfare. If a license is not issued, the fee shall be returned to the applicant.

C. No application for a license by a private collector shall be accepted unless accompanied by a statement acknowledging and authorizing city inspection of any load delivered under this chapter.

(Ord. dated 1/22/91 § 10)

8.60.110 Authority to limit number of licenses.

In order to preserve the public health, safety and welfare, the director shall have the authority to limit the number of licenses for the collection and/or transportation of refuse which may be issued under this chapter. Notice of such limitation shall be posted in the same manner as rules and regulations issued by the director under this chapter.

(Ord. dated 1/22/91 § 11)

8.60.120 Vehicle and container identification.

A. Every license granted by the director under this chapter shall cover the following matters:

1. The name and address of the person to whom the license is issued;

2. The area within which the person to whom the license is issued may render collection services;

3. The nature of the collection services which are authorized;

4. The term for which the license is granted (not to exceed one year);

5. A description including the license plate numbers of each vehicle to be registered under the license;

6. Such other conditions as the director may establish.

B. The director shall issue to each licensed person one sticker for each registered vehicle and/or refuse container covered by the application, each of which vehicles and/or refuse containers shall thereafter display such sticker as long as the license or registration is in force.

(Ord. dated 1/22/91 § 12)

8.60.130 Transferability of license.

No license granted by the director under this chapter, or any interest therein shall be given, sold, assigned, mortgaged or otherwise transferred without the prior written consent of the director.

(Ord. dated 1/22/91 § 13)

8.60.140 Revocation of license.

A. Any license granted by the director under this chapter may be revoked by the director if the director finds and determines that the licensee has failed to comply with any of the terms of such license or of this chapter or rules and regulations duly promulgated hereunder, or fails to render satisfactory collection services.

B. Revocations and suspensions shall become effective only after a public hearing. The director shall send a written notice of proposed suspension or revocation to said collector, stating the reasons for such action. The ordinance committee of the city council shall, within fifteen (15) days of such written notice, hear and decide the matter. Such hearing shall be held in public session at the request of the collector. The collector, the director and other persons invited by either of them or by the committee, may appear and present such testimony and evidence as they may wish. The committee may revoke the license, suspend the license for a time certain, decline to revoke or suspend the license, or make such other determination as may be appropriate in the circumstances.

C. The decision of the ordinance committee shall be final and binding upon the collector. No application for a license revoked under this chapter shall be accepted for a period of one year from the date of the committee's action.

D. Notwithstanding anything to the contrary in this section, the director shall have power to refuse permission to a collector to use the designated solid waste disposal facility when, in his opinion, such collector has violated this chapter or any applicable rule or regulation.

(Ord. dated 12/21/92 § 39; Ord. dated 1/22/91 § 14)

8.60.150 Rules and regulations.

The director shall have the authority to promulgate such other reasonable rules and regulations concerning collection, transportation and disposal of refuse as he shall deem necessary, with the approval of the city council, which shall take effect no less than three days after posting at the department of public facilities offices and at all designated solid waste disposal facilities.

(Ord. dated 12/21/92 § 40: Ord. dated 1/22/91 § 15)

8.60.160 Violation Penalty.

Any person violating any of the provisions of this chapter shall be deemed guilty of a violation and, upon conviction thereof, shall be fined in the amount established in accordance with the prevailing rate

as established by the director of public facilities and approved by the city council. Additionally, each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under this chapter.

(Ord. dated 12/21/92 § 41: Ord. dated 1/22/91 § 16)

8.60.170 Citation process.

A. The mayor, as chief executive officer, shall appoint one or more city employees to issue citations under the process set forth below.

B. The city of Bridgeport hereby adopts the hearing procedure set forth in Connecticut General Statutes Section 7-152c, as amended and set forth below.

C. The mayor, as chief executive officer, shall appoint one or more persons other than police officers or employees or persons who issue citations, to the position of citation hearing officer.

D. A citation shall be served on the appropriate party by hand delivery, by certified mail, return receipt requested, or by leaving at the party's usual place of abode. If a party refuses to accept service of the citation by certified mail, record shall be made of the same, and service may thereupon be made by regular, first class mail, postage prepaid.

E. Any person cited with a violation of a provision of Section 8.60.060 of the code of ordinances of the city shall be allowed a period of fifteen (15) days from the date of the citation to make an uncontested payment of the fine specified in the citation.

F. When a person cited with a violation contests that citation before the citation hearing officer, any employee who is authorized by ordinance to issue the citation at issue may present evidence on behalf of the city, pursuant to Section 7-152c(e) of the Connecticut General Statutes.

G. Unless otherwise specified, each day's continuing violation of Section 8.60.060 of the code of ordinances of the city is a separate offense, and is subject to additional citation.

C.G.S. § 7-152c Hearing Procedure for Citations

(a) Any municipality as defined in subsection (a) of Section 7-148 may establish by ordinance, a citation hearing procedure in accordance with this section. The superior court shall be authorized to enforce the assessments and judgments provided for under this section.

(b) The chief executive officer of any such municipality shall appoint one or more citation hearing officers, other than police officers or employees or persons who issue citations, to conduct the hearings authorized by this section.

(c) Any such municipality, at any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to Section 7-148 or Section 22a-226d, for an alleged violation thereof, shall send notice to the person cited. Such notice shall inform the person cited: (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due; (2) that he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date hereof; (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him, and (4) that such judgment may issue without further notice.

(d) If the person who is sent notice pursuant to subsection (c) of the this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by such municipality. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in subsection (c) of this section shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection (f) of this section.

(e) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or policeman shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of section 52-180 and evidence of the facts contained therein. The presence of the issuing official or policeman shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. If such person fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the municipality.

(f) If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail, a notice of the assessment to the person found liable and shall file, not less that thirty days nor more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of the Superior Court for the geographical area in which the municipality is located together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve (12) month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment in the amount of such record of assessments and court costs of eight dollars, against such person in favor of the municipality. Notwithstanding any other provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

(g) A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to Section 52-259, in the Superior Court for the geographical area in which the municipality is located, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

(Ord. dated 11/3/03)

Chapter 8.64
RECYCLING PROGRAM

Sections:

8.64.010 Definitions.

For the purposes of this chapter:

"Acceptable recyclable materials" means those items to be received and processed at the regional intermediate processing center including glass food and beverage containers, metal food and beverage containers, newspaper, and HDPE and PETE plastic containers, and other recyclables as may be later designated.

"City" means the city of Bridgeport, and includes authorized officers, boards, commissions and agencies of the city.

"Collector" means any entity who offers for hire to collect mixed solid waste and/or recyclables from residential and/or nonresidential properties within the city and, particularly such entity who has been authorized and permitted by the city to collect such materials within the city.

"Commissioner" means the commissioner of the Department of Environmental Protection of the state of Connecticut or his/her authorized agent.

"Contracting community" means one of the towns and cities in southwest Connecticut which entered into the intercommunity agreement to form SWEROC and establish a regional recycling program.

"Corrugated cardboard" means corrugated cardboard boxes and similar corrugated and kraft paper materials which have a minimum of contamination by food or other material.

"Entity" means any individual, organization, corporation, trust, partnership, foundation, group, association or establishment or any combination of them.

"General Statutes" means the General Statutes of Connecticut as amended.

"Glass food and beverage container" means a glass bottle or jar of any size or shape used to package food or beverage products suitable for human or animal consumption.

"HDPE (high-density polyethylene) plastic container" means any high-density polyethylene bottle, jar or container of any size or shape used to package food or beverage products suitable for human or animal consumption, or used for household laundry products, shampoos, motor oil or other such consumer products which are marked on the bottom of the bottle, jar or container with the number "2" encircled by the triangular recycling symbol.

"Intercommunity agreement" means the agreement of September 15, 1989 entered into by the towns and cities in southwest Connecticut to form SWEROC and establish a regional recycling program.

"Intermediate processing facility" or "intermediate processing center" means a facility where glass, metals, paper products, batteries, household hazardous waste, fertilizers or other recyclable items are processed for recycling or reuse after having been separated from the mixed solid waste stream.

"Leaves" means the foliage of trees.

"Metal food and beverage container" means an aluminum, bimetal, steel, tin-plated steel, or other metallic can, plate or tray of any size or shape used to package food or beverage products suitable for human or animal consumption.

"Mixed solid waste" means solid, liquid, semisolid or contained gaseous material that is unwanted or discarded, which may include recyclable material that has not been source-separated for processing at a recycling facility.

"Mixed solid waste facility" means any trash incinerator, volume reduction plant, transfer station, wood burning facility or biomedical waste treatment facility.

"Mixed solid waste disposal area" means land and appurtenances thereon and structures, including a landfill or other land disposal site, used for the disposal of more than ten cubic yards of solid waste.

"Newspaper" means used or discarded newsprint (including inserts) which has a minimum of contamination by food or other material.

"Office paper" means used or discarded high-grade white paper and manila paper, including, but not limited to, paper utilized for file folders, tab cards, writing, typing, printing, computer printing and photo-copying, which is suitable for recycling and which has a minimum of contamination, excluding office paper generated by households.

"PETE (polyethylene terepthalate) plastic food and beverage container" means any bottle, jar or container of any size or shape used to package food or beverage products suitable for human or animal consumption which is marked on the bottom of the bottle, jar or container with the number "1" encircled by the triangular recycling symbol.

"Recyclables" or "items required to be recycled" or "statutory recyclable materials" means corrugated cardboard, glass food and beverage containers, metal food and beverage containers, newspaper, HDPE and PETE plastic containers, office paper, scrap metal, storage batteries, waste oil and leaves as defined in this section, and such other items as may be designated by the commissioner.

"Recycle" means to separate or divert an item or items from the mixed solid waste stream for the purposes of processing it or causing it to be processed into a material product, including the production of compost, in order to provide for disposition of the item or items in a manner, other than incineration or landfilling, which will best protect the environment.

"Recycling" means the processing of appropriately separated solid waste to reclaim material therefrom.

"Recycling facility" or "recycling center" means land and appurtenances thereon and structures where recycling is conducted, including, but not limited to, an intermediate processing center.

"Residential property" means real estate containing one or more dwelling units excluding hospitals, institutions, motels and hotels.

"Resources recovery facility" means a facility utilizing processes to reclaim energy from municipal solid waste and, particularly, the Greater Bridgeport resource recovery facility located in Bridgeport.

"Scrap metal" means used or discarded items which consist predominately of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel or alloys thereof, including, but not limited to, "white goods" (refrigerators, ovens, clothes dryers, etc.).

"State" means the state of Connecticut.

"Storage battery" means lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, tractors and like applications.

"SWEROC" means the Southwest Connecticut Regional Recycling Operating Committee created by the intercommunity agreement among the towns and cities in southwest Connecticut to establish a regional

program.

"Waste oil" means crankcase oil that has been utilized in internal combustion engines.

(Ord. dated 10/15/90 § 1)

8.64.020 Establishment of a city recycling program.

There is established a city solid waste recycling program with standards to effect the maximum level of recycling of solid waste and source separation.

(Ord. dated 10/15/90 § 2)

8.64.030 Administrator of the city recycling program.

The city director of public facilities or the appointed designee under his direction shall be the administrator of the recycling program, and is vested with full powers to develop and operate a recycling program consistent with this chapter, the laws and regulations of the state of Connecticut, and any other agreements entered into by the city of Bridgeport.

(Ord. dated 12/21/92 § 37: Ord. dated 10/15/90 § 3)

8.64.040 Fulfillment of contractual and statutory obligations.

By the adoption of the ordinance codified in this chapter, the city shall:

A. Fulfill its obligation under Section 2.08 of the April 27, 1990 agreement between the state of Connecticut and SWEROC to adopt "a mandatory source separation ordinance. . . sufficient to implement its recycling program in the context of the regional recycling effort," and

B. Comply with Section 22a-220 of the General Statutes as amended by Section 2 of Public Act No. 90-220 "To adopt an ordinance. . . setting forth measures to assure the compliance of persons within its boundaries with the requirements of Subsection (c) of Section 22a-241b, as amended by Section 1 of . . . (Public Act 90-220) and to assure compliance of Collectors with the requirements of Subsection (a) of Section 4 of . . . (Public Act 90-220)."

(Ord. dated 10/15/90 § 4)

8.64.050 Issuance of regulations and instructions governing the operation of the recycling program.

The successful operation of the recycling program shall require the issuance of regulations and instructions setting forth detailed procedures to be followed by residents, businesses and institutions, collectors and others. The administrator of the recycling program is authorized and directed to promulgate such regulations and instructions, to be binding upon all entities within the city, to effect an efficient and economical recycling program consistent with this chapter, the laws and regulations of the state of Connecticut, and any other agreements entered into by the city.

(Ord. dated 10/15/90 § 5)

8.64.060 Recyclables collection zones.

The administrator of the recycling program, in conjunction with the department of police services, may designate curbside recyclables collection zones to facilitate the removal of recyclables. Such zones would be clearly marked, instructing vehicle operators not to park in these zones during posted recyclables collection hours.

(Ord. dated 10/15/90 § 6)

8.64.070 Requirements of solid waste generators.

A. Residential.

1. On or after January 1, 1991 or on such earlier date as determined by the administrator of the recycling program, each entity who generates mixed solid waste from a residential property within the city shall separate for recycling from other mixed solid waste the following items required to be recycled:

a. Corrugated cardboard;

b. Glass food and beverage containers;

c. Leaves;

d. Metal food and beverage containers;

e. Newspaper;

f. Scrap metal;

g. Storage batteries;

h. Waste oil;

i. HDPE and PETE plastic containers.

2. The city shall distribute to each dwelling unit within its boundaries an appropriate container into which the following items required to be recycled shall be put:

a. Glass food and beverage containers;

b. Metal food and beverage containers;

c. Newspaper;

d. HDPE and PETE plastic containers;

e. Such other items as may be designated.

3. The appropriate recyclables collection container distributed by the city to each dwelling unit remains property of the city, and is to be used only for the separation and collection of recyclables. If the bin is lost or stolen, a suitable replacement as designated by the administrator of the recycling program must be used for recyclables collection. A reasonable fee, as determined by the director of public facilities, may be charged for the replacement of such lost or stolen recycling containers which have been provided by the city.

4. The administrator of the recycling program shall prescribe procedures by which other components of the mixed solid waste stream generated from residential properties required to be recycled (such as leaves) shall be handled.

B. Nonresidential. On or after January 1, 1991 or on such earlier date as determined by the administrator of the recycling program, each entity who generates mixed solid waste from properties other than residential properties shall make provision for the separation from other mixed solid waste of the following items required to be recycled:

1. Corrugated cardboard;

2. Glass food and beverage containers;

3. Leaves;

4. Metal food and beverage containers;

5. Newspaper;

6. Office paper;

7. Scrap metal;

8. Storage batteries;

9. Waste oil;

10. HDPE and PETE plastic containers;

11. Such other items as may be designated.

(Ord. dated 12/21/92 § 75(f); Ord. dated 10/15/90 § 7)

8.64.080 Requirements of collectors.

A. Any collector hauling mixed solid waste and/or recyclables generated by residential, business or other properties within the city shall register in the city within thirty (30) days of the effective date of the ordinance codified in this chapter and shall disclose the name of any other municipality in which the collector provides such services. The administrator of the recycling program is authorized and directed to establish reasonable requirements and qualifications for an entity to be a collector within the city.

B. The door of any private vehicle used to haul mixed solid waste and/or recyclables generated within the city shall be clearly marked with the business name and address of the collector.

C. The administrator of the recycling program shall, by mail, give notice of this chapter and any other provisions promulgated for the collection, hauling, processing and marketing of items required to be recycled to all collectors registered under subsection A of this section. After such notice, any collector who has reason to believe that an entity from whom he has collected mixed solid waste has discarded items required to be recycled combined with such mixed solid waste, shall promptly notify the administrator of the recycling program of the alleged violation. Upon request by the administrator of the recycling program, a collector shall provide a warning notice, by tag or other means, to any entity suspected by the collector or by the city of violating separation requirements. Each collector shall also assist the city in identifying any entity responsible for creating loads containing significant quantities of items required to be recycled combined with mixed solid waste which are delivered to a resources recovery facility or mixed solid waste facility by the collector.

D. No collector may dump more than one cubic foot in volume of mixed solid waste at one time in an area not designated for such disposal, nor may a collector knowingly combine other mixed solid waste with items required to be recycled.

E. Collectors shall perform work and submit documentation as required under provisions of this chapter, applicable state laws and regulations, and ordinances, regulations and instruction of the city.

(Ord. dated 10/15/90 § 8)

8.64.090 Requirements of owners and operators of resource recovery facilities and mixed solid waste facilities.

A. On and after January 1, 1991, as required by Section 4(b) of Public Act No. 90-220, the owner or operator of each resource recovery facility or mixed solid waste facility who has reason to believe, upon visual inspection, that a load of mixed solid waste which is delivered to the facility, contains significant quantities of any items required to be recycled is required to provide prompt notification of such belief to the driver of the vehicle delivering the load and to the administrator of the recycling program in the municipality where the load originated.

B. Under said Section 4(b) of Public Act 90-220, the owner or operator of each resource recovery facility or mixed solid waste facility is also required to conduct unannounced inspections of loads delivered to said facilities.

(Ord. dated 10/15/90 § 9)

8.64.100 Collection, recycling, and sale of items required to be recycled.

A. The items listed in Section 8.64.070(A)(2) which are generated from residential properties must be delivered by collectors to the regional intermediate processing center, or to such other recycling facility approved by the administrator of the recycling program. Such collection and delivery shall be conducted in accordance with this chapter, the laws and regulations of the state of Connecticut, and any other agreements entered into by the city for the processing and marketing of items required to be recycled.

B. The administrator of the recycling program may take appropriate action to cause each owner of properties other than residential properties, at such owner's expense, to collect and have recycled the items listed in Section 8.64.070(B) which are generated from such properties, in accordance with this chapter, the laws and regulations of the state of Connecticut, and any other agreements entered into by the city for the processing and marketing of items required to be recycled.

C. To enable the city to comply with state laws and regulations regarding reporting of quantities recycled, collectors must provide to the city on a monthly basis and in a manner acceptable to the administrator of the recycling program (copies of) certified weigh tickets for each statutory recyclable material delivered to any recycling facility, along with the name, address and phone number of the owner or operator of said recycling facility. A processing facility that receives, processes and/or sells statutory recyclable materials as listed in the definition of recyclables in Section 8.64.010 of this chapter which are generated within the borders of the city shall report quarterly to the city and the commissioner

on the amount of recyclables it receives originating in the city.

D. To assist the city in monitoring the separation, collection, recycling and sale of items required to be recycled, the administrator of the recycling program may require generators from properties other than residential properties to submit to the city plans for recycling which set forth specified data relating to the amount and nature of items recycled.

E. The administrator of the recycling program, with the consent of the chief executive officer of the city, may require the separation and recycling of items in addition to those designated in this chapter.

(Ord. dated 10/15/90 § 10)

8.64.110 Power to contract for services.

The city may contract with other entities for assistance in complying with any provision of this chapter, upon approval of such contract by the common council.

(Ord. dated 10/15/90 § 11)

8.64.120 Liaison with state.

A. The administrator of the recycling program shall serve as the city liaison agent with the commissioner with respect to receiving information and responding on behalf of the city to questions regarding recycling from the department of environmental protection. In the event that the person serving as the city liaison agent with the commissioner is changed, the city, within thirty (30) days of change, shall provide the commissioner with the name, address and telephone number of the newly designated person.

B. Notices from collectors and from operators of resource recovery facilities and mixed solid waste facilities referred to in Sections 8.64.080(c) and 8.64.090 shall be submitted to the administrator of the recycling program.

(Ord. dated 10/15/90 § 12)

8.64.130 Designation of SWEROC as the city's regional agent for purpose of submitting annual report.

SWEROC is designated as the city's regional agent to provide the report due on July 1, 1991 and annually thereafter pursuant to Section 2(e) of Public Act 90-220.

(Ord. dated 10/15/90 § 13)

8.64.140 Delivery to out-of-state recycling facility of items required to be recycled.

If the city or a collector delivers items required to be recycled to a recycling facility not located within the state, the administrator of the recycling program or the collector shall notify the commissioner of the name and address of the owner or operator of such out-of-state facility and shall ensure, by contract, that such facility has notice of and complies with the reporting requirements of Section 5 of Public Act 89-386 as amended by Section 8 of Public Act 90-220.

(Ord. dated 10/15/90 § 14)

8.64.150 Prohibition of scavenging.

It shall be a violation of this chapter for any entity not authorized by the city to collect or pick up, or cause to be collected or picked up, any recyclables which have been placed outside or otherwise set aside for collection.

(Ord. dated 10/15/90 § 15)

8.64.160 Penalties.

A. Notwithstanding any other sections of the General Statutes to the contrary, the city, acting by the administrator of the recycling program, may impose a penalty not to exceed five hundred dollars ($500.00) for each violation by a commercial establishment of the requirements of Subsection (c) of Section 22a-241b of the General Statutes as amended by Section 1 of Public Act 90-220 as set forth in Section 8.64.070(B) of this chapter.

B. The owner or operator of any resource recovery facility or mixed solid waste facility who fails to notify the city about the delivery of loads of solid waste originating from the city containing significant quantities of items required to be recycled as required by Section 4 of Public Act 90-220 and as set forth in Section 8.64.090 of this chapter shall be subject to a warning by the city or the commissioner for a first violation and to a civil penalty of five hundred dollars ($500.00) for any subsequent violation. If the city fails to receive such notification as required, the city may bring an action under Section 3 of Public Act 90-249.

C. Any collector who dumps more than one cubic foot in volume of mixed solid waste at one time in an area not designated for such disposal or who knowingly combines mixed solid waste with recyclables shall for a first violation be liable for a civil penalty of one thousand dollars ($1,000.00) and for a subsequent violation shall be liable for a civil penalty of five thousand dollars ($5,000.00). The city or the Attorney General of the state of Connecticut, at the request of the commissioner, may bring an action under Section 3(f) of Public Act 90-220, which action shall have precedence in the order of trial as provided in Section 52-191 of the General Statutes.

D. Any entity who violates any provision of this chapter shall, in addition to other legal remedies available to the city, be cited or fined not more than one hundred dollars ($100.00) for each offense, and each violation of this chapter or of regulations and instructions promulgated pursuant to this chapter, shall be a separate violation. This chapter and the regulations and instructions promulgated pursuant to this chapter may be enforced by citations issued by the administrator of the recycling program or his designated agent. Before issuing any citation the administrator of the recycling program or his designated agent shall issue a written warning providing notice of the specific violation in accordance with Section 7-148(c)(10)(A) of the General Statutes.

E. The city may be subject to penalties imposed upon it under Section 2(g) of Public Act 90-220 if the commissioner determines that the city is making insufficient progress in implementing a recycling program.

F. The citation hearing procedure provided in Section 7-152c of the General Statutes is established as the city's citation hearing procedure to be followed when citations are issued pursuant to this chapter. The chief executive officer of the city is authorized to issue such rules and regulations governing the operation of the citation hearing procedure so long as such rules and regulations are consistent with Section 7-152c of the General Statutes.

(Ord. dated 10/15/90 § 16)

Chapter 8.68
LITTERING

Sections:

8.68.010 Short title.

This chapter shall be known and may be cited as the "Bridgeport Anti-Litter Ordinance."

(Prior code § 14-185)

8.68.020 Definitions.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings respectively ascribed to them:

"Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation or for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles and balloons.

"Authorized private receptacle" means a litter storage and collection receptacle as required and authorized in the ordinances concerning the collection of waste matter.

"Commercial handbill" means any printed or written matter, any sample or device, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature:

1. Which advertises for sale any merchandise, product, commodity or thing;

2. Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales;

3. Which directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind for which an admission fee is charged for the purpose of private gain or profit; but the terms of this paragraph shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition or event of any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided, that nothing in this paragraph shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition or event of any kind without a license, where such license is or may be required by any law of this state, or under any ordinance of this city; or

4. Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

"Garbage" means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

"Litter" means garbage, refuse and rubbish as defined in this section and all other waste material which, if thrown or deposited as prohibited in this chapter, tends to create a danger to public health, safety and welfare.

"Newspaper" means any newspaper of general circulation as defined by general law, any newspaper duly entered with the post office department of the United States, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four issues per year and sold to the public.

"Noncommercial handbill" means any printed or written matter, any sample, device, circular, leaflet,

pamphlet, newspaper, magazine, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature not included in the definitions of a commercial handbill or newspaper set out in this section.

"Park" means a park, reservation, playground, beach, recreation center or any other public area in the city, owned or used by the city and devoted to active or passive recreation.

"Private premises" means any dwelling, house, building or other structure designed or used either wholly or in part for private residential, business, commercial or industrial purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

"Public place" means any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

"Refuse" means all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

"Rubbish" means nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

"Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

(Prior code § 14-186)

8.68.030 Littering prohibited in public places generally.

No person shall throw or deposit litter on or upon any street, sidewalk or other public place within the city except in public receptacles, in authorized private receptacles for collection or in official city dumps.

(Prior code § 14-187)

8.68.040 Placement of litter in receptacles so as to prevent scattering required.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

(Prior code § 14-188)

8.68.050 Sweeping litter into gutters, etc., prohibited.

No person shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

(Prior code § 14-189)

8.68.060 Merchants' duty to keep sidewalks clean.

A. No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the city shall keep the sidewalk in front of their business premises free of litter

B. Additionally, all merchants that sell edible commodities, i.e. food, drinks, ice cream, confections or other items for immediate consumption shall provide a trash container on the premises immediately outside the main entrance of the business to be used by the patrons of their business for disposing of trash, litter, garbage and other waste connected with the operation of their business. This container shall be of an appropriate design, determined by the director of public facilities or his designee, and shall be emptied regularly by the merchant. Any person violating this section shall be subject to a fine of ninety dollars ($90.00). Placement of the can must conform with requirements set forth in the ADA regulations regarding clear pathways.

C. Exemption. Any merchant required to place a trash container at their business in accordance with Section 8.86.060, above, shall be exempt from this responsibility if the city has placed a trash and recycling/marketing container at or near said business, in accordance with the city trash and recycling container/marketing agreement and the order of the director of public facilities or his/her designee.

(Ord. dated 5/7/07: prior code § 14-190)

(Ord. dated 11/3/08)

8.68.070 Throwing litter from vehicles.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the city, or upon private property.

(Prior code § 14-191)

8.68.080 Operation of trucks causing litter prohibited.

No person shall drive or move any truck or other vehicle within the city unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or public place; nor shall any person drive or move any vehicle or truck within the city the wheels or tires of which carry onto or deposit in any street, alley or other public place mud, dirt, sticky substances, litter or foreign matter of any kind.

(Prior code § 14-192)

8.68.090 Throwing litter in parks, beaches or playgrounds prohibited.

No person shall throw or deposit litter, any bottles, glass or can in any park, beach or playground owned by the city, whether within or without the city, except in public receptacles and in such manner that the litter, bottle, glass or can will be prevented from being carried or deposited by the elements upon any part of the park, beach or playground, or upon any street or public place. Where public receptacles are not provided, all such litter, bottle, glass or can shall be carried away from the park, beach or playground by the person responsible for its presence and properly disposed of elsewhere as provided in this chapter. Any person violating this section shall be subject to a fine of fifty dollars ($50.00).

(Prior code § 14-193)

8.68.100 Throwing litter in lakes and fountains prohibited.

No person shall throw or deposit litter in any fountain, pond, lake, stream, bay or any other body of water in a park or elsewhere within the city. Anyone in violation of this section shall be fined fifty dollars ($50.00) for the first offense and one hundred dollars ($100.00) for each subsequent offense.

(Prior code § 14-194)

8.68.110 Handbills Throwing or distributing in public places restricted.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the city; provided, however, that it shall not be unlawful on any sidewalk, street or other public place within the city for any person to hand out or distribute, without charge to the receiver thereof, any commercial or noncommercial handbill to any person willing to accept it.

(Prior code § 14-195)

8.68.120 Handbills Placing on vehicles prohibited.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle; provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute, without charge to the receiver thereof, a commercial or noncommercial handbill to any occupant of a vehicle who is willing to accept it.

(Prior code § 14-196)

8.68.130 Handbills Depositing on uninhabited or vacant premises prohibited.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

(Prior code § 14-197)

8.68.140 Handbills Distribution where property is posted prohibited.

No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any private premises, if requested by anyone thereon not to do so, or if there is placed on such premises in a conspicuous position near the entrance thereof a sign bearing the words: "No Trespassing," "No Peddlers or Agents," "No Soliciting," or any similar notice which indicates in any manner that the occupants of such premises do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon such premises.

(Prior code § 14-198)

8.68.150 Handbills Distribution at inhabited private premises restricted Exception.

A. No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises; provided, however, that in case of inhabited private premises which are not posted, as provided in this chapter, such person, unless requested by anyone upon such premises not to so, may place or deposit any such handbill in or upon such inhabited private premises if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets or other public places, and except that mailboxes may not be so used when so prohibited by federal postal laws or regulations.

B. The provisions of this section shall not apply to the distribution of mail by the United States, nor to newspapers (as defined in this chapter); except that newspapers shall be placed on private property in

such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

(Prior code § 14-199)

8.68.160 Dropping litter from aircraft.

No person in any aircraft shall throw out, drop or deposit within the city and the confines of the municipal airport any litter, handbill or any other object.

(Prior code § 14-200)

8.68.170 Posting notices restricted.

No person shall post or affix any notice, poster or other paper or device calculated to attract the attention of the public to any lamppost, public utility pole or shade tree, awning post, fire alarm pole, or upon any public structure or building, except as may be authorized or required by law.

(Prior code § 14-201)

8.68.180 Depositing litter on occupied private property.

No person shall throw or deposit litter on any occupied private property within the city, whether owned by such person or not; except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private property.

(Prior code § 14-202)

8.68.190 Owners to maintain premises free of litter.

The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, however, that this section shall not prohibit the storage of litter in authorized private receptacles for collection.

(Prior code § 14-203)

8.68.200 Throwing or depositing litter on vacant lots prohibited.

No person shall throw or deposit litter on any open or vacant private property within the city whether

owned by such person or not.

(Prior code § 14-204)

8.68.210 Clearing of open private property by city upon owner's failure.

A. Notice to Remove. The director of health and social services is authorized and empowered to notify the owner of any open or vacant property within the city or the agent of such owner to properly dispose of litter located on such owner's property which is dangerous to public health, safety or welfare. Such notice shall be by registered mail, addressed to such owner at his last known address.

B. Action upon Noncompliance. Upon the failure, neglect or refusal of any owner or agent so notified to properly dispose of litter dangerous to the public health, safety or welfare within ten days after receipt of written notice provided for in subsection A of this section, or within fifteen (15) days after the date of such notice in the event the same is returned to the city because of inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner or agent, the director of health and social services is authorized and empowered to pay for the disposing of such litter or to order its disposal by the city.

C. Charge Included in Tax Bill. When the city has effected the removal of such dangerous litter or has paid for its removal, the actual cost thereof, plus accrued interest at the rate of six percent per annum from the date of the completion of the work, if not paid by such owner prior thereto, shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the city and such charge shall be due and payable by such owner at the time of payment of such bill.

D. Recorded Statement Constitutes Lien. When the full amount due the city is not paid by such owner within thirty (30) days after the disposal of such litter, as provided for in subsections A and B of this section, the director of health and social services shall cause to be recorded in the office of the town clerk a sworn statement showing the cost and expense incurred for the work, the date the work was done and the location of the property on which such work was done. The recordation of such sworn statement shall constitute a lien on the property, and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection, until final payment has been made. Such costs and expenses shall be collected in the manner fixed by law for the collection of taxes and further shall be subject to the same delinquent penalty in the event same is not paid in full on or before the date the tax bill upon which such charge appears becomes delinquent. Sworn statements recorded in accordance with the provisions of this section shall be prima facie evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily, and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law.

(Ord. dated 12/21/92 § 75(h); prior code § 14-205)

Chapter 8.72
OBNOXIOUS WEEDS

Sections:

8.72.010 Definition.

For the purposes of this chapter, the term "obnoxious weeds" shall be deemed to mean and include ragweed, goldenrod, wild timothy and any other uncultivated pollen-bearing plant, the pollen of which causes irritation to the nasal passages of susceptible persons and is a source of physical discomfort or otherwise injurious to the health of such persons. The term shall also be deemed to mean and include poison ivy, poison sumac and any other uncultivated plant which, upon human contact therewith, causes any skin irritation or is otherwise injurious to the health of the persons affected thereby.

(Prior code § 14-170)

8.72.020 Removal required.

It shall be the duty of all persons owning or occupying any land within the city to remove or efficiently eliminate the menace to the public health, which the presence of obnoxious weeds on such property constitutes.

(Prior code § 14-171)

8.72.030 Order to remove.

If any person, being the owner or occupant of any property upon which there shall exist any obnoxious weeds, shall fail to remove, cut or otherwise effectively eliminate the menace to the public health, which such weeds constitute, the director of health and social services may, by written notice mailed or delivered to the owner or occupant of such property, order and direct that such weeds be removed, cut or otherwise eliminated and may in such notice direct the manner in which such elimination shall be

accomplished.

(Ord. dated 12/21/92 § 75(h); prior code § 14-172)

8.72.040 Removal by the city Collection of cost from owner.

In addition to any other penalty, failure to comply with an order to remove obnoxious weeds, the director of health and social services may, if the owner or occupant of the property shall fail to comply with the order of the director for the removal or other elimination of such weeds within the time specified in the order, or within seven days of the receipt of such order, if no time for the doing thereof is specified therein, cause such obnoxious weeds to be removed or otherwise effectively eliminated; and the expense thereof, when reported to the common council by the director, shall be a charge against the person who, as the owner or occupant of such property, was notified as aforesaid to remove or eliminate such weeds and shall be collected by the tax collector by any proper action.

(Ord. dated 12/21/92 § 75(h); prior code § 14-173)

8.72.050 Penalty for failure to comply with order to remove.

Any person who shall fail to comply with an order of the director of health and social services to eliminate obnoxious weeds in the manner which may be provided in such notice and within the time specified therein, or within seven days of the delivery of such notice, if no time for the elimination of such condition is so specified, shall be punished as provided in Chapter 1.12 of this code.

(Ord. dated 12/21/92 § 75(h); prior code § 14-174)

Chapter 8.76
ANTI-BLIGHT PROGRAM*

Sections:

8.76.051 Special assessments.

* Prior history: Prior code §§ 16-200 16-204 as amended by Ords. dated 11/4/91, 12/21/92, 3/7/05 and 3/6/06.

8.76.010 Declaration of policy.

It is found and declared that there exists within the city a large number of real properties which contain vacant and/or blighted buildings, and/or properties and/or vacant parcels that are poorly maintained, and that the existence of such poorly maintained properties and/or vacant parcels, and/or vacant and/or blighted buildings contributes to the decline of neighborhoods. It is further found that the existence of poorly maintained properties and/or vacant parcels, vacant and/or blighted buildings adversely affects the economic wellbeing of the city and is inimical to the health, safety and welfare of the residents of the city. It is further found that many of the vacant and/or blighted buildings can be rehabilitated, reconstructed or reused so as to provide decent, safe and sanitary housing and ancillary commercial facilities, and that such rehabilitation, reconstruction and reuse would eliminate, remedy and prevent the adverse conditions described. It is further found that the abatement of the blight of poorly maintained properties and/or vacant parcels is a benefit to the health, safety and welfare of the residents of the city.

(Ord. dated 7/2/07 (part))

8.76.020 Definitions.

For the purposes of this chapter, the following words and terms shall have the meanings respectively ascribed as follows:

"Blighted premises" means any building or structure, or any portion of a building or structure that is a separate unit, or any vacant parcel, in which at least one of the additional following conditions exist:

1. It is determined by the city that existing conditions pose a serious or immediate danger to the community; i.e., a life threatening condition or a condition, which puts at risk the health or safety of citizens of the city;

2. It is not being maintained; the following factors may be considered in determining whether a structure or building is not being maintained: missing or boarded windows or doors; a collapsing or missing wall, roof or floor; siding that is seriously damaged or missing; fire damages; a foundation that is structurally faulty; or garbage, trash or cars that are abandoned, unregistered, or inoperable for more than thirty (30) days visibly situated on the premises (unless the premises is a legal junk yard) for more than thirty (30) days as set forth in Section 3-7-3 of the Regulations of the Planning and Zoning Commission, and/or cars are illegally parked on the property in violation of the zone standards in the zones set forth in Sections 4-2-3, 4-3-3, 4-4-3, 5-2-3, 5-3-3, 6-2-3, 6-3-3, 6-6-3, and 6-7-3 of the Regulations of Planning and Zoning Commission, or that the outside of the property is not being maintained in accordance with

the standards set forth in subsection 8 of this definition;

3. It is becoming dilapidated;

4. It is attracting illegal activity;

5. It is a fire hazard;

6. It is a factor that is materially depreciating property values in the neighborhood because of its poorly maintained condition;

7. It is a factor creating a substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other space within the building or of other premises within the neighborhood;

8. The outside of the building and/or the property fails to meet the standards set forth below:

a. The exterior and areas exposed to public view of all commercial and residential property and premises shall be kept free from deterioration and shall be in a good state of repair. The property shall be maintained so that they reflect a reasonable level of maintenance in keeping with the standards of the community and not constitute a blighting factor for adjoining property owners, or an element leading to the progressive deterioration of the neighborhood. Such maintenance of the outside of the property shall include, without limitation, the following:

i. All surfaces shall be maintained free of broken glass, crumbling stone or brick or other condition reflective to deterioration or inadequate maintenance.

ii. The maintenance and appearance of the grounds and yards of premises shall be such that they reflect the level of upkeep of surrounding premises and properties. This shall include but not be limited to grass that has been allowed to go to seed, severely overgrown bushes and trees, dead trees and trash, rubbish, and dilapidated equipment or abandoned vehicles on the grounds. All equipment is to be in good working condition. This shall also include no illegal parking of cars as set forth in subsection 2 above.

iii. No dumpster or other refuse container usually used on a construction site may be kept in a residential area unless a construction or improvement project, which may include the disposal of household items, is to commence within two weeks of the installation of a dumpster or it has been within two weeks of the completion of the project, for a total time frame not to exceed thirty (30) days. A permit is required from the director of public facilities for the placement of a dumpster for the purpose set forth in subsection 3 above, in the public right-of-way. The enforcement officer may take into account other information it deems relevant in determining whether a dumpster is improperly placed.

iv. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

"Development administrator" means the director of planning and economic development of the city.

"Dilapidated" means a building or structure which has been vacant for a period of sixty (60) days or longer and/or is run down.

"Enforcement officer" means the city health director or his/her designee(s), the city housing code enforcement officer(s) or his/her designee, or any city employee, who has statutory authority to enter onto private property for the purpose of inspecting said property, and is appointed by the mayor to issue fines for violations of this chapter.

"Legal occupancy" means occupancy that is legal by virtue of compliance with state building, state fire safety, local zoning, housing codes and all other pertinent codes, which habitation must be substantiated by a bona fide lease agreement, a rent receipt or a utility statement.

"Neighborhood" means an area of the city comprised of all premises or parcels of land any part of which is within an area encompassing not less than six hundred (600) and not more than seven hundred fifty (750) acres within the city.

"Unit" means any space within a building that is or can be rented by or to a single person, household or entity for his/her or its sole use, and is intended to be a distinct space.

"Vacant" means a period of sixty (60) days or longer during which a building or a portion thereof is not legally occupied.

"Vacant parcel" means a parcel of land with no structures thereon.

(Ord. dated 7/2/07 (part))

8.76.030 Prohibition against creating or maintaining blighted premises.

Any owner of real property in the city shall not cause or allow blighted premises to be created, nor shall any owner allow the continued existence of blighted premises.

(Ord. dated 7/2/07 (part))

8.76.040 Enforcement.

A. The development administrator shall cause regular inspections of certain of the blighted premises to be referred to enforcement officer for the purpose of documenting continuous blight and additionally; may cause to be imposed a penalty of not more than one hundred dollars ($100.00) for each day that

building or structure or unit or part thereof, is in violation of this chapter, except for persons described in Section 8.76.050(B)(5) of this chapter. Each day that a building or structure or unit or part thereof, is in violation of this chapter shall constitute a separate offense. The development administrator, or his or her designee, shall notify the owner of the penalty in accordance with the procedures set forth in Section 7-152c of the General Statutes of Connecticut. All fines imposed for violations of this section shall be paid to a revolving fund maintained by the city. If at a later date a Connecticut General Statute is amended or passed permitting the city to place a lien as a security for the penalty then the development administrator is empowered to notify the office of the city attorney to place said lien in the same manner as specified for placing fines. The development administrator may waive and release said penalties and liens in the event the city acquires the property or at the time of the sale of the blighted premises if, in his/her opinion, it is determined that the buyer has the financial ability, and the intention to immediately rehabilitate said blighted premises, but said penalties and liens may be reinstated if the rehabilitation of said premises does not in fact occur. Notwithstanding the hearing procedure set forth in subsection E below, at any time after a property owner receives notice of a possible violation of this chapter, but before an assessment of penalty has been imposed by the hearing officer pursuant to the procedures set forth in subsection E below, any property owner who has filed an appeal of a penalty for violation of this chapter may petition the anti-blight committee for approval of a plan to bring the property into compliance with said ordinance. The committee may accept submission of credible documentation of a plan to cure the violation and financing for said plan from the property owner and may make a recommendation to the hearing officer that additional time be granted to the property owner to cure said violation in lieu of an assessment of penalties for violation of the ordinance being imposed at this time.

B. Violators of this chapter shall have the right to appeal within fifteen (15) days from the date of the imposition of the fines. Payment of fines shall be stayed until the appeal has been heard and ruled on by the hearing officer. If dissatisfied with the findings, the violator may appeal to superior court in accordance with Section 152c of the General Statutes of Connecticut.

C. The mayor shall appoint one or more hearing officer(s) (the "officer").

D. The officer(s) shall not be a police officer, or employees or persons who issue citations or fines, or a person employed by any department which comprises the anti-blight or condemnation committee. Officer(s) shall serve for a term of two years or part thereof, which term shall commence from date of approval by the common council and shall end on December 31st of every even year. Officer(s) may be compensated by the city with the funds appropriated for this purpose as recommended by the mayor.

E. Hearing Procedure.

1. In scheduling formal appeal hearings, the violator shall be notified by mail of the place and time of the hearing. Such notice shall be provided at least fifteen (15) days but not more than thirty (30) days prior to the scheduled hearing date.

2. The procedure for the hearing shall be informal as to the rules of evidence, but testimony shall be

taken under oath or affirmation.

3. In considering an appeal, the hearing officer may consider all relevant facts and circumstances and may require personal appearance of the violator and the enforcement officer if the presence of said enforcement officer is requested in writing in accordance with Section 7-152(c) of the General Statutes of Connecticut. The hearing officer may waive fines as of the date the property owner commenced, or caused to be commenced, the abatement of the violation, through the date the violation is actually cured, for good cause shown, or in instances where the abatement of the violation was delayed due to weather conditions, or other acts of nature. If the violation is not cured at the time of the appeal hearing, the hearing officer may also suspend the issuance of additional fines if it is found that the property owner cannot maintain a reasonable level of upkeep of the owner-occupied residence because the individual is elderly or disabled and no capable person resides in the residence, to give the person adequate time to correct the problem. The hearing officer may also waive all fines for property owners who qualify for financial assistance to cure the violations.

F. Take the necessary steps to acquire the blighted premises pursuant to the Urban Homesteading Act, Connecticut General Statute Sections 8-169(o) et seq., as it may be amended from time to time.

G. Take necessary steps to pursue tax foreclosure on those properties owing back taxes to the city.

H. Take the necessary steps to refer blighted properties that are in violation of the property maintenance standards set forth in Section 8.76.020(8) to Department of Housing and Community Development (DHCD) for rehabilitation and the abatement of said violations, if eligible, through an appropriate rehabilitation program as resources permit.

(Ord. dated 7/2/07 (part))

8.76.050 Anti-blight administrative procedures.

A. The development administrator shall convene an anti-blight committee consisting of the director of the anti-blight division, the director of office of planning and economic development or his/her designee, a local fire marshal as assigned by the fire chief, the director of health, the municipal building official, and may require the assistance of any other city staff as deemed appropriate by the committee.

B. The development administrator shall produce an annual list of blighted buildings and/or vacant parcels that are poorly maintained. The anti-blight committee shall add any blighted buildings and/or vacant parcels that are poorly maintained as defined in this chapter that they are aware of to this list. The anti-blight committee shall review the list of blighted buildings, and/or vacant parcels that are poorly maintained, and select those properties for which specific strategies may be developed. Strategies may include:

1. Fines for Blight.

a. The development administrator through the enforcement officer shall conduct regular inspections to document that the blight persists. The anti-blight committee may refer blighted buildings and/or vacant parcels that are poorly maintained that have been fined in accordance with the anti-blight ordinance codified in this chapter, and whose owner has not appealed the fine to a hearing officer, to the city attorney's office for a letter to be sent to the owner regarding unpaid fines as provided for in this chapter. If the fine remains unpaid for thirty (30) days, the city attorney's office shall petition the hearing officer for an assessment in the amount of the unpaid fines, plus collection costs including attorney's fees, in accordance with the procedures set forth in Section 7-152c of the General Statutes of Connecticut. The development administrator, or her/his designee shall within thirty (30) days work with the city attorney to convert the unpaid assessment that have not been appealed, and any assessment of fines issued by the hearing officer following an appeal hearing held pursuant to Section 7-152c of the General Statutes of Connecticut, to liens and initiate foreclosure or institute legal proceedings to collect the fines.

b. Once foreclosure is complete, the anti-blight committee shall dispose of the properties in a timely manner through the Bridgeport redevelopment agency.

2. Tax Foreclosure.

a. The committee may refer blighted buildings and/or vacant parcels that are poorly maintained to be taken by tax foreclosure to the city attorney for assignment to an outside legal firm hired by the city to do tax foreclosures. The city attorney shall keep the anti-blight committee informed on a quarterly basis as to the status of foreclosures of referred buildings.

b. Once foreclosure is complete, the anti-blight committee shall determine how to dispose of the properties in a timely manner.

3. Rehabilitation. The committee may refer blighted buildings that are suitable for rehabilitation to DHCD for acquisition and rehabilitation through the urban home-steading program or other appropriate rehabilitation programs as resources permit.

a. The committee may refer blighted properties that are in violation of the property maintenance standards set forth in Section 8.76.20.8 to DHCD for the abatement of said violations through an appropriate rehabilitation program as resources permit. The abatement of said violations by the city may occur upon: a written complaint of any person having an interest in said property in accordance with Section 19a-210 of the General Statutes of Connecticut; or the permission of the property owner, or the issuance of a Court Order in accordance with Section 19a-206 of the General Statutes of Connecticut; the procedures for any tenement, lodging or boarding house or property upon which buildings are situated as set forth in Section 47a-53 of the General Statutes of Connecticut, when appropriate. The development administrator shall work with the city attorney to convert the cost of abatement of said violations to liens and institute all legal proceedings necessary to collect said costs from the property owner(s).

b. Special Consideration. Special consideration shall be given to individuals that are elderly or disabled in the city's effort to correct blighted conditions. If it is found by the enforcement officer that the property owner can not maintain a reasonable level of upkeep of the owner-occupied residence because the individual is elderly or disabled and no capable person resides in the residence, the enforcement officer shall suspend fines to give the person adequate time to correct the problem. Except as noted below, where the individual is a low-income individual and owns and occupies a residence that is designated as blighted, the enforcement officer shall give special consideration to the person by providing adequate time to correct the problem. If items designated as blighted have to do with lawn and shrub maintenance, painting and keeping grounds free from rubbish and debris, the enforcement officer will not provide additional time to correct the problem.

(Ord. dated 7/2/07 (part))

(Ord. dated 11/3/08)

8.76.051 Special assessments.

The mayor shall appoint six taxpayers of the city to a special assessment committee to determine the following:

1. The fiscal effect of a special assessment on the revenue of the city;

2. Identification of properties that may be subject to special assessment;

3. The amount of property tax generated by said properties and the cost to the city of code enforcement of such properties, including costs for police and fire personnel;

4. Recommendations with respect to the form and extent of any assessment; and

5. The standards for imposition of the assessment.

The six taxpayers on the new committee must include a landlord, the tax assessor, representatives from zoning, health, housing, fire and other safety code compliance of private property, i.e. the building department. With the exception of the tax assessor, members of the committee shall also be residents of the city. In determining the standards the committee must consider the number of outstanding health and housing and safety violations for the property, the number of times the health, housing and safety personnel have had to inspect the property and the cost to the city to enforce code compliance on the property.

The committee shall prepare a report for the city council within sixty (60) days of its appointment. Once the report has been submitted for review the city council shall determine whether to authorize the

establishment of a new ordinance for the issuance of special assessments to property owners based on the cost to the city of code inspections and enforcement, including fire and police personnel, the cost to provide notice to the property owners to cure blight, housing, health or safety code violations. The ordinance established must provide for notice to the owners and a time period to cure the violation before the fine is imposed and the assessment is issued, and the appeal rights of the property owner.

(Ord. dated 7/2/07 (part))

(Ord. dated 11/3/08)

Chapter 8.78
HOLLOW NEIGHBORHOOD REVITALIZATION ZONE

Sections:

8.78.010 Declaration of policy.

It is found and declared that there exists within the Hollow neighborhood a significant number of deteriorated property and property that has been foreclosed, is abandoned, blighted or is substandard or poses a hazard to public safety, and that the existence of such deteriorated, foreclosed, abandoned, blighted, substandard and hazardous property contributes to the decline of the Hollow neighborhood. Connecticut General Statute Chapter 118 provides for municipalities to establish a neighborhood revitalization zone to address these issues.

The Hollow neighborhood has followed the state statute and has adopted a Hollow Neighborhood Revitalization Zone Plan. Per Connecticut General Statute Chapter 118, and adopted city council Resolution 111-95, the Hollow Neighborhood Revitalization Zone Plan shall be implemented and is hereby recognized.

(Ord. dated 5/16/05 (part))

8.78.020 Definitions.

For the purposes of this chapter, the following words and terms shall have the meanings respectively ascribed as follows:

"Hollow Development Corporation" refers to the legal entity under which the plan will be implemented and amended as necessary.

"Hollow Neighborhood Revitalization Zone Plan" refers to the planning document adopted by the Hollow neighborhood and city council, as amended. Also referred to as "the plan."

"Implementation committee" refers to the permanent committee of the Hollow Development Corporation that is committed to implementing the plan.

"Neighborhood revitalization zone" refers to a mechanism devised by the state of Connecticut under which the community and government work collaboratively to revitalize neighborhoods. Also referred to as NRZ.

"The plan" refers to the planning document formally known as the Hollow Neighborhood Revitalization Plan.

(Ord. dated 5/16/05 (part))

8.78.030 Authority to implement the Hollow Neighborhood Revitalization Zone Plan.

The Hollow Development Corporation bylaws are incorporated as an appendix within the approved plan, and such organization was the entity under which the plan was created. The Hollow Development Corporation shall be the responsible entity to implement the plan.

It is expected the Hollow Development Corporation will need the assistance of various city agencies or departments to implement certain aspects of the plan, and the city shall provide appropriate assistance as necessary.

The Hollow Development Corporation, through the implementation committee, shall abide by the Connecticut General Statutes reporting requirements for NRZs.

(Ord. dated 5/16/05 (part))

8.78.040 Implementation committee.

The Hollow Development Corporation shall establish a permanent committee, which is committed to the implementation of the plan. Such committee shall be representative of the Hollow neighborhood and include city of Bridgeport representative. Constituencies represented on the planning committee of the plan shall also be represented in the implementation committee.

Such implementation committee shall abide by the bylaws of the Hollow Development Corporation, but also incorporate the community to the greatest extent possible.

(Ord. dated 5/16/05 (part))

8.78.050 Authority to amend the Hollow Neighborhood Revitalization Zone Plan.

As necessary, the Hollow Development Corporation shall amend the plan. Such amendments to the plan shall be approved by the implementation committee, Hollow Development Corporation and city council.

(Ord. dated 5/16/05 (part))

8.78.060 Authority to comment on zoning applications.

The Hollow NRZ shall receive copies of the legal notices and agendas for all zoning board meetings. These copies shall be sent by the zoning office in a timely fashion so as to allow the NRZ adequate time to review the application within the zoning office prior to the publicized meeting.

The Hollow NRZ has the authority to submit written comments to the applicable zoning board for any zoning application that is within the NRZ boundaries. These written comments shall be based upon the adherence of the zoning application to the Hollow NRZ Plan. The zoning boards must consider these written comments during the course of their deliberations on the application.

(Ord. dated 5/16/05 (part))

Chapter 8.79
EAST END NEIGHBORHOOD REVITALIZATION ZONE

Sections:

8.79.010 Establishment of East End Neighborhood Revitalization Zone.

By Resolution 47-04, on March 21, 2005, the city council established the East End Neighborhood Revitalization Zone, the boundaries of which were jointly determined by the East End Neighborhood Committee and the city council. These boundaries are set forth below in Section 8.79.060 of this chapter.

(Ord. dated 11/6/06 (part))

8.79.020 Declaration of policy.

It is found and declared that there exists within the East End neighborhood a significant number of deteriorated property and property that has been foreclosed, is abandoned, blighted or is substandard or poses a hazard to public safety, and that the existence of such deteriorated, foreclosed, abandoned, blighted, substandard, and hazardous property contributes to the decline of the East End neighborhood. Connecticut General Statutes Chapter 118, Sections 7-601 to 7-608, provides for municipalities to establish a Neighborhood Revitalization Zone to address these issues.

The East End neighborhood has followed the Connecticut General Statutes and has adopted a neighborhood revitalization planning committee and approved an East End Neighborhood Revitalization Zone Strategic Plan. The plan is now adopted as this chapter in accordance with Section 7-601(d) of the General Statutes of Connecticut.

(Ord. dated 11/6/06 (part))

8.79.030 Definitions.

For the purposes of this chapter, the following words and terms shall have the meanings respectively ascribed to as follows:

"East End Neighborhood Revitalization Zone" refers to the boundaries approved by the city council on March 21, 2005, and as set forth in this chapter in Section 8.79.050 of this chapter.

"East End Neighborhood Revitalization Zone Committee" refers to the permanent committee authorized by this chapter to implement the East End Neighborhood Revitalization Zone Strategic Plan.

"East End Neighborhood Revitalization Zone Planning Committee" refers to the committee authorized by the city council on March 21, 2005, to establish the East End Neighborhood Revitalization Zone Strategic Plan, in accordance with Section 7-601 of the General Statutes of Connecticut.

"East End Neighborhood Revitalization Zone Strategic Plan" refers to the plan approved by the East End Neighborhood Revitalization Zone Planning Committee and approved by the city council as this chapter, in accordance with Section 7-601(d) of the General Statutes of Connecticut, also referred to as "the plan," and as may be amended from time to time in accordance with Section 7-602(b) of the General Statutes of Connecticut, and Section 8.79.060 of this chapter.

"The plan" refers to East End Neighborhood Revitalization Zone Strategic Plan as approved by the East End Neighborhood Revitalization Zone Planning Committee, and approved by the city council as this chapter, in accordance with Section 7-601(d) of the General Statutes of Connecticut.

(Ord. dated 11/6/06 (part))

8.79.040 Authority to implement the East End Neighborhood Revitalization Zone Strategic Plan.

The East End Neighborhood Revitalization Zone Committee shall have the authority to implement the East End Neighborhood Revitalization Zone Strategic Plan that is approved by the city council and incorporated by reference into this chapter. This committee shall be comprised of the members of the former East End Neighborhood Revitalization Zone Planning Committee and shall include a representative of the city of Bridgeport. It is expected that the East End Neighborhood Revitalization Zone Committee will need the assistance of various city agencies or departments to implement certain aspects of the plan, and the city shall provide appropriate nonmonetary assistance as necessary. The East End Neighborhood Revitalization Zone Committee shall abide by all reporting requirements set forth in the General Statutes in Sections 7-602 through 7-608. The bylaws of the former East End Neighborhood Revitalization Zone Planning Committee shall be adopted as the bylaws of the East End Neighborhood Revitalization Zone Committee.

(Ord. dated 11/6/06 (part))

8.79.050 Boundaries of East End Neighborhood Revitalization Zone.

The following are the boundaries of the East End Neighborhood Revitalization Zone, as adopted by the city council on March 21, 2005:

North-Barnum Avenue from Seaview Avenue East to Stratford Town Line.

East-Barnum Avenue South along the Stratford Town Line to Johnson's Creek, including Eagles Nest Road Southwest of the Stratford Town Line.

South-Long Island Sound, including Pleasure Beach.

West-Eastern Edge of Yellow Mill Pond north to Crescent Avenue East to Seaview Avenue, North to Barnum Avenue.

These boundaries are incorporated and made part of the approved East End Neighborhood Revitalization Zone Strategic Plan and, therefore, may not be changed without the approval of the city council, in accordance with Section 8.79.060 of this chapter. A copy of the plan shall be kept for viewing by the public in the neighborhood revitalization office of the city, located at 999 Broad Street.

(Ord. dated 11/6/06 (part))

8.79.060 Authority to amend East End Neighborhood Revitalization Zone Strategic Plan.

As necessary, the East End Neighborhood Revitalization Zone Committee may amend the plan. Changes to the boundaries to the zone require the approval of the Neighborhood Revitalization Zone Committee and the city council. Other amendments, that were not a concept or a proposal within the scope of the original strategic plan, must also be approved by the city council, in accordance with Section 7-602(b) of the General Statutes of Connecticut.

(Ord. dated 11/6/06 (part))

Chapter 8.80
NOISE CONTROL REGULATIONS

Sections:

8.80.010 Purpose.

It is recognized that people have a right to and should be ensured an environment free from excessive sound and vibration that may jeopardize their health or safety or welfare or degrade the quality of life. This chapter is enacted to protect, preserve and promote the health, safety, welfare and quality of life for the citizens of Bridgeport through the reasonable reduction, control and prevention of noise.

(Ord. dated 6/19/06 (part): Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-35)

8.80.020 Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

"Ambient noise or background" means noise of a measurable intensity which exists at a point as a result of a combination of many distant sources individually indistinguishable.

"Best practical noise control measures" means noise control devices, technology and procedures which are determined by the city's director of public facilities and/or his or her designee to be the best practical, taking into consideration the age of the equipment and facilities involved, the process employed, capital expenditures, maintenance cost, technical feasibility, and the engineering aspects of the applicable noise control techniques in relation to the control achieved and the nonnoise controlled environmental impact.

"City council" means the city council of the city.

"Commercial zone" means any business zone including business zones Nos. 1, 2, 3 and 4 as defined in the zoning regulations of the city.

"Construction" means any site preparation, assembly, erection, substantial repair, alteration or similar action, but excluding demolition, for or of public or private rights-of-way, structures, utilities or similar

property.

"Construction equipment" means any equipment or device operated by fuel or electric power used in construction or demolition work.

"Day-time hours" means the hours between seven a.m. and six p.m. Monday through Friday, and the hours between nine a.m. through six p.m. on Saturday and Sunday.

"Decibel" means a logarithmic unit of measure used in measuring magnitudes of sound. The symbol is DB.

"Demolition" means any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surface or similar property.

"Domestic power equipment" means, but is not limited to, power saws, drills, grinders, lawn and garden tools and other domestic power equipment intended for use in residential areas by a homeowner.

"Emergency" means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

"Emergency vehicle" means any motor vehicle authorized to have sound warning devices such as sirens and bells which can lawfully be used when responding to an emergency.

"Emergency work" means work made necessary to restore property to a safe condition following an emergency, or work required to protect persons or property from exposure to imminent danger.

"Impulse noise" means sound of short duration (generally less than one second) with an abrupt onset and rapid decay.

"Industrial zone" means any industrial zone including light industrial and heavy industrial as defined in the zoning regulations of the city.

"Legal holiday" means those days designated as legal holidays by Connecticut General Statutes Section 1-4 or its successor (amended July 21, 1999).

"Motor vehicle" shall be defined as per Section 14-1(26) of the Connecticut General Statutes (revision of 1958 as amended).

"Muffler" means a device for abating sounds, such as escaping gases.

"Night-time hours" means the hours between six p.m. and seven a.m. Monday through Friday and six p.

m. to nine a.m. Saturday and Sunday.

"Noise" means any sound, the intensity of which exceeds the standards set forth in Section 8.80.040 of this chapter.

"Noise level" means the sound pressure level as measured with a sound level meter using the A-weighting network. The level so read is designated DB(A) or dBA.

"Person" means any individual, firm, partnership, association, syndicate, company, trust, corporation, municipality, agency or political or administrative subdivision of the state or other legal entity of any kind.

"Premises" means any building, structure, land or portion thereof, including all appurtenances, and shall include yards, lots, courts, inner yards, and real properties without buildings or improvements, owned or controlled by a person. The emitter's premises includes contiguous publicly dedicated street and highway rights-of-way, all road rights-of-way and waters of the state.

"Property line" means that real or imaginary line along the ground surface and its vertical extension which: (1) separates real property owned or controlled by another person, and (2) separates real property from the public right-of-way.

"Public right-of-way" means any street, avenue, boulevard, highway, sidewalk, alley, park, waterway, railroad or similar place which is owned or controlled by a governmental entity.

"Recreational vehicle" means any nonregistered internal combustion engine powered vehicle which is being used for recreational purposes.

"Residential zone" means any residence zone including residence zones AA, A, B, BB, C, garden apartment zone or residence apartment zone, and any commercial zone when used for residential purposes, as defined in the zoning regulations of the city and all uses permitted therewith either as a right or as a special use.

"Sound" means a transmission of energy through solid, liquid or gaseous media in the form of vibrations which constitute alterations in pressure or position of the particles in the medium and which in the air evoke physiological sensations, including, but not limited to, an auditory response when impinging on the ear.

"Sound level meter" means an instrument used to take sound level measurements and which should conform, as a minimum, to the operational specifications of the American National Standards Institute for Sound Level Meters S1.4 1971 (Type S2A).

"Sound pressure level (SPL)" means twenty (20) times the logarithm to the base ten of the ratio of the

pressure of a sound to the reference pressure of twenty micronewtons per square meter (20 × 10-6 Newton/meter2), and is expressed in decibels (dB).

"Vibration" means an oscillatory motion of sound bodies of deterministic or random nature described by displacement, velocity or acceleration with respect to a given reference point.

(Ord. dated 6/19/06 (part): Ord. dated 10/2/00: Ord. dated 5/1/00: Ord. dated 6/21/99; Ord. dated 12/21/92 § 67; prior code § 21-36)

8.80.030 Noise level measurement procedures.

For the purpose of determining noise levels as set forth in this chapter, the following guidelines shall be applicable:

A. All personnel conducting sound measurements shall be trained in the current techniques and principles of sound measuring equipment and instrumentation.

B. Instruments used to determine sound level measurements shall conform to the sound level meters as defined by this chapter.

C. The general steps listed below shall be followed when preparing to take sound level measurements:

1. The instrument manufacturer's specific instructions for the preparation and use of the instrument shall be followed.

2. The sound level meter shall be calibrated before and after each set of measurements.

3. The sound level meter shall be placed at an angle to the sound source as specified by the manufacturer's instructions and at least four feet above the ground. It shall be so placed as not to be interfered with by individuals conducting the measurements.

4. Measurements shall be taken at a point that is located about one foot beyond the boundary of the emitter's premises within the noise receptor's premises. The emitter's premises includes his/her individual unit of land or group of contiguous parcels under the same ownership as indicated by public land records.

(Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-37)

8.80.040 Noise levels.

A. It is unlawful for any person to emit, allow or cause to be emitted any noise beyond the boundaries of

his/her premises in excess of the noise levels established in these regulations.

B. Noise Level Standards:

Receptor's Zone

Emitter' s Zone	Industrial	Commercial	Residential/Day	Residential/Night
Residential	62 dBA	55 dBA	55 dBA	45 dBA
Commercial	62 dBA	62 dBA	55 dBA	45 dBA
Industrial	70 dBA	66 dBA	61 dBA	51 dBA

C. High Background Noise Levels and Impulse Noise.

1. In those individual cases where the background noise levels caused by sources not subject to these regulations exceed the standards contained in this chapter, a source shall be considered to cause excessive noise if the noise emitted by such source exceeds the background noise levels by five dBA, provided that no source subject to the provisions of this chapter shall emit noise in excess of eighty (80) dBA at any time, and provided that this section does not decrease the permissible levels of other sections of this chapter.

2. No person shall cause or allow the emission of impulse noise in excess of eighty (80) dB peak sound pressure level during the nighttime to any residential noise zone.

3. No person shall cause or allow the emission of impulse noise in excess of one hundred (100) dB peak sound pressure level at any time to any zone.

D. Exclusions. These levels shall not apply to noise emitted by or related to:

1. Natural phenomena;

2. Any bell or chime from any building clock, schools or church;

3. Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm systems used in an emergency situation; provided, however, that burglar or intrusion alarms attached to a motor vehicle not terminating within thirty (30) minutes after being activated shall be unlawful; and provided that the repetition of activation of the audible signal of a burglar or intrusion alarm due to malfunction, lack of proper maintenance, or lack of reasonable care shall not be excluded and shall be unlawful;

4. Warning devices required by OSHA or other state or federal safety regulations;

5. Farming equipment or farming activity operated within an area used for strictly farming.

E. Exemptions. The following shall be exempt from these regulations subject to special conditions as spelled out:

1. Noise created as a result of, or relating to an emergency;

2. Noise from domestic power equipment such as, but not limited to, power saws, sanders, grinders, lawn and garden tools or similar devices operated during daytime hours, provided, that noise discharged from exhausts is adequately muffled to prevent loud and/or explosive noises therefrom;

3. Noise from snow removal equipment, provided, that such equipment shall be maintained in good repair so as to minimize noise and noise discharged from exhausts which shall be adequately muffled to prevent loud and/or explosive noises therefrom;

4. Noise created by an aircraft flight operations which are specifically preempted by the Federal Aviation Administration;

5. Noise created by any recreational activities which are permitted by law and for which a license or permit has been granted by the city, including, but not limited to, parades, sporting events, concerts and firework displays;

6. Noise created by vehicles owned by or being utilized under a contract with a governmental entity providing that best practical noise control measures have been implemented;

7. Noise generated by any construction equipment which is operated during daytime hours, provided that operation of construction equipment during night-time hours shall not exceed the maximum noise levels as specified in this section, except that those building operations prohibited by Section 8.80.050(C)(7) of this chapter are prohibited regardless of whether or not they exceed the maximum noise levels;

8. Notwithstanding the provisions of this chapter, noise generated from construction or demolition activities for the state-wide project for the installation of electric three hundred forty-five (345) kV lines and construction of the singer substation in accordance with the directive from the state of Connecticut Siting Council, by employees or authorized agents of Northeast Utilities and United Illuminating, are exempt from this chapter. Specific limitations on work hours for this project shall be established by the director of public facilities as a condition for obtaining street excavation permits, and by the municipal building official for the construction of the singer substation;

9. Notwithstanding the provisions of this chapter, noise generated from the operation of the Bridgeport Harbor Station electric-generating facility, including the installation and the operation of the Mercury Emissions Reduction Project, which project has been approved by the state of Connecticut Siting Council, are exempt from this chapter provided, that the overall noise generated by the operation of the

electric generating facility shall not exceed the maximum noise levels as specified in subsection B of this section by more than the ten dBA, as currently allowed under Sections 22a-69-1 through 22a-69-7.4 of the Regulations of Connecticut State Agencies.

(Ord. dated 5/7/07; Ord. dated 6/19/06 (part): Ord. dated 11/3/03; Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-38)

8.80.050 Prohibited noise activities.

A. General Prohibition. It is unlawful for any person to make, continue or cause to be made or continued any noise in violation of this chapter which reasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.

B. Officers of the police department shall issue a notice of violation for the following violations of this section of the noise ordinance without use of a sound level meter.

C. Enumeration of Prohibited Acts. Each of the following acts, among others, is declared unlawful and is prohibited; but this enumeration shall not be deemed to be exclusive:

1. Blowing Horns, etc. The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended and unless it is unnecessary as a warning to prevent or avoid a traffic or pedestrian accident;

2. Radios, Phonographs, etc. The playing of any radio, phonograph or any musical instrument in such a manner or with such volume as to reasonably annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any person in the vicinity;

3. Shouting, Singing, etc. Yelling, shouting, hooting, whistling or singing on the public street at any time or place so as to reasonably annoy or disturb the quiet, comfort or repose of any persons in any office, or in any dwelling, hotel or other type of residence, or of any person in the vicinity;

4. Animals. The keeping of any animal or bird which by causing frequent or long-continued barking, calling or other noise so as to reasonably annoy or disturb the quiet, comfort or repose of any person in any office, or in any dwelling, hotel or other type of residence or of any person in the vicinity;

5. Steam Whistles. The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper city authorities;

6. Exhaust Discharge. The discharge into the open air of the exhaust of any steam engine, stationary

internal combustion engine, motor vehicle or motorboat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom;

7. Building Operations. The erection (including excavating), demolition, alteration or repair of any residential building, or the excavation of streets and highways, except as set forth in Section 8.80.040(D)(8) of this chapter, between the evening hours of six p.m. and seven a.m. Monday through Friday and the evening hours of six p.m. and nine a.m. on Saturday and Sunday and nonlegal holiday weekdays, except in case of urgent necessity in the interest of public safety, and then only with a permit from the board of building commissioners or any other board or commission in charge, which permit may be granted for a period not to exceed three days while the emergency continues. At all other times the owner, tenant, or their agent, shall have the right to erect and repair their property (amended June 21, 1999);

8. Engine Idling. No person shall operate an engine or any standing motor vehicle with a weight in excess of ten thousand (10,000) pounds manufacturer's gross vehicle weight (GVW) for a period in excess of three consecutive minutes when such vehicle is parked on a residential premises or on a city road immediately adjacent to a residential premises, except when a motor vehicle is forced to remain motionless because of traffic conditions or mechanical difficulties over which the operator has no control, or when necessary to operate heating, cooling or auxiliary equipment installed on the motor vehicle to accomplish the intended use thereof, or to bring the engine or motor vehicle to the manufacturer's recommended operating temperature, or when the temperature is below twenty (20) degrees Fahrenheit;

9. The creation of any excessive noise on any street that is adjacent to any school of learning, church or court while the same is in session, or is adjacent to any hospital, or medical facility for treatment which interferes with the working or sessions thereof or the persons therein.

(Ord. dated 6/19/06 (part): Ord. dated 11/3/03; Ord. dated 10/2/00: Ord. dated 5/1/00: Ord. dated 6/21/99: prior code § 21-38)

8.80.060 Motor vehicle noise.

A. All motor vehicles operated within the limits of the city shall be subject to the noise standards and decibel levels set forth in the regulations authorized in Section 22a-73 of the Connecticut General Statutes and Sections 22a-69-1 through 22a-69-7.4 of the Regulations of Connecticut State Agencies, as may be amended from time to time.

B. No sound amplifying devices on or within motor vehicles shall emit noise in excess of noise levels as specified in Section 8.80.040 of this chapter.

C. This section dealing with motor vehicle noise shall be enforced by the chief of police and/or his designated subordinates.

(Ord. dated 6/19/06 (part): Ord. dated 11/3/03; Ord. dated 10/2/00: Ord. dated 5/1/00: Ord. dated 12/21/92 § 75(a); prior code § 21-40)

8.80.070 Recreational vehicle noise.

No person shall create or cause to be created any unreasonably loud or disturbing noise due to the operation of a recreational vehicle. A noise shall be deemed to be unreasonably loud and a violation of this chapter when the noise so generated exceeds the noise level standard set forth in Section 8.80.040.

(Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-41)

8.80.080 Inspections.

A. For the purpose of determining compliance with the provisions of this chapter, the director of health or his designated representative, as well as officers of the police department, are authorized to make inspections of all noise sources and to take measurements and make tests whenever necessary to determine the quantity and character of noise. In the event that any person refuses or restricts entry and free access to any part of a premises or refuses inspection, testing or noise measurement of any activity, device, facility or process where inspection is sought, the director of health or his designated representative may seek from the appropriate court a warrant without interference, restriction or obstruction at a reasonable time, for the purpose of inspecting, testing or measuring noise.

B. It is unlawful for any person to refuse to allow or permit the director of health or his designated representative free access to any premises when the director of health or his designated representative is acting in compliance with a warrant for the inspection and order issued by the appropriate court.

C. It is unlawful for any person to violate the provisions of any warrant or court order requiring inspection, testing or measurement of noise sources.

D. No person shall hinder, obstruct, delay, resist, prevent in any way, interfere or attempt to interfere with any authorized person while in the performance of his/her duties under this chapter.

(Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-42)

8.80.090 Variance and contracts.

A. Variances.

1. Any person living or doing business in Bridgeport may apply to the department of health for a variance from one or more of the provisions of this chapter, which are more stringent than the Connecticut Department of Environmental Protection regulations for the control of noise, provided that the applicant supplies all the following information to the director of health;

a. The location and nature of the activity;

b. The time period and hours of operation of said activity;

c. The nature and intensity of the noise that will be generated; and

d. Any other information required by the director of health.

2. No variance from these regulations shall be issued unless it has been demonstrated that:

a. The proposed activity will not violate any provisions of the Connecticut Department of Environmental Protection regulations;

b. The noise levels generated by the proposed activity will not constitute a danger to the public health; and

c. Compliance with the regulations constitutes an unreasonable hardship on the applicant.

3. The application for variance shall be reviewed and either approved or rejected within fifteen (15) days of receipt by the director of health. The approval or rejection shall be in writing and shall state the condition(s) of approval of the variance.

4. Failure to rule on the application in the designated time shall constitute approval of the variance.

B. Recourse. Any person aggrieved by the decision of the director of health with respect to any variances may appeal in accordance with the Charter to the environmental review board within a period of fourteen (14) days of receipt of the health director's decision.

C. Contracts. Any written agreement, purchase order or contract whereby the city is committed to an expenditure of funds in return for work, labor, services, supplies, equipment, materials or any combination thereof, shall not be entered into unless such agreement purchase order of instrument contains provisions that any equipment or activities which are subject to the provisions of this chapter will be operated, constructed, conducted or manufactured without violating the provision of this chapter.

(Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-44)

8.80.100 Violation Penalties.

Any person in violation of any of the provisions of this chapter shall be fined in an amount of one hundred dollars ($100.00) made payable to the city of Bridgeport. Each day such violation occurs or

continues after the time for correction of the violation given in an order has elapsed shall constitute a separate violation. The imposition of any punishment under this chapter shall not prevent the enforced abatement of any unlawful conditions by the city.

(Ord. dated 6/19/06 (part): Ord. dated 11/3/03: Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-43; amended June 21, 1999)

8.80.110 Noise violation appeals.

A. Administrative Appeal.

1. Any person, operator or owner of a vehicle which has been cited under this chapter may submit a written request for an administrative appeal to the chief of police or his designee of the issuance of such citation within a designated appeal period of not more than fourteen (14) days from the date of the citation.

2. The chief of police or his designee shall establish and publish notices indicating the procedures to request administrative appeal under subsection (A)(1) of this section and shall cause notice of appeal rights to be printed on each violation notice issued.

3. Payment of the penalty/fines shall be stayed pending the administrative appeal. Payment of the penalty/fine shall be made within fourteen (14) days of mailing of finding of the administrative appeal unless a finding was made in favor of the appellant or the appellant has elected to proceed under subsection B of this section.

4. Any person who has requested administrative appeal shall be notified in writing within forty-five (45) days of the issuance of the citation, of the findings relative to the appeal. If dissatisfied with such finding, a formal hearing may be requested by submitting a written request to the chief of police or his designee within fourteen (14) days of such finding of the administrative appeal in accordance with subsection B of this section.

B. Formal Hearing Procedure: Noise Ordinance Violations Hearing Officer.

1. Pursuant to Connecticut General Statute Section 7-148, as amended, the mayor shall appoint, with the approval of the city council, one or more noise ordinance violations hearing officer(s) (the "officer").

Officer(s) shall not be employed by the police department. Officer(s) shall serve for a term of two years or part thereof, which term shall commence from date of approval by the city council and shall end on December 31st of every even year. Officer(s) may be compensated by the city with the funds appropriated for this purpose as recommended by the mayor and approved by the city council.

2. Officer(s) shall be empowered to hear appeals from the issuance of noise violation citations or as

otherwise herein provided.

3. Any person, owner or operator of a vehicle cited pursuant to this chapter may request a formal hearing before officer(s) within fourteen (14) days of any of the following events:

a. Issuance of noise violation citation;

b. Issuance of adverse findings in the administrative appeal;

c. First issuance of notice of delinquency of noise violation citation.

4. Hearing Procedure Shall Comply with Connecticut General Statute Section 7-148.

a. In scheduling formal appeal hearings, the appellant shall be notified by mail of the place and time of hearing. Such notice shall be provided at least fifteen (15) days but not more than thirty (30) days prior to the scheduled hearing date.

b. The procedure for the hearing shall be informal as to the rules of evidence, but testimony shall be taken under oath or affirmation.

c. In considering an appeal, the hearing office may consider all relevant facts and circumstances and may require personal appearance of the appellant and issuing officer.

d. Should the officer find in favor of the appellant, he shall so certify to the police department and the record of the citation shall be removed from the files of the city.

e. Should the officer find the issuance of the citation proper, he shall so certify to the police department and no further appeal under this section shall be considered, either administrative or formal.

f. If such penalty is not paid on the date of its entry, the city may proceed to enforce the penalty pursuant to C.G.S. Section 7-148 (10)(A) as amended.

(Ord. dated 6/19/06 (part): Ord. dated 11/3/03; Ord. dated 10/2/00)

8.80.120 Severability.

If any provision of this chapter or the application thereof to any person or circumstances is held to be invalid, such invalidity shall not affect other provisions or applications of any other part of this chapter which can be given effect without the invalid provisions or application; and to this end, the provisions of this chapter and the various applications thereof are declared to be severable. All provisions of the zoning regulations of the city which are more stringent than those set forth herein shall remain in full

force and effect.

(Ord. dated 6/19/06 (part): Ord. dated 11/3/03)

8.80.130 Enforcement.

This chapter shall be enforced by the chief of police and/or the city's director of health and/or their respective designated subordinates in accordance with its terms and provisions.

(Ord. dated 11/3/03)

Chapter 8.84
PUBLIC SWIMMING POOLS

Sections:

8.84.010 Purpose of chapter.

A regulation pertaining to the public health and safety of public swimming pools, and setting licensure

requirements, fees for same and penalties for violation.

(Prior code § 19-123)

8.84.020 Definitions.

For the purposes of this chapter:

"Artificial public pool" means a structure of concrete, steel or other relatively impervious material intended for bathing, swimming or therapeutic purposes, located either indoors or outdoors, provided with controlled water supply, and not used or intended to be used as a pool at a single-family residence.

"Director of health" means the director of health of the city or his authorized agent.

(Prior code § 19-124)

8.84.030 License to operate.

No person, firm or corporation, or association shall operate a public swimming pool within the city who does not possess a valid license to operate issued to him or her by the director of health. Only a person who complies with the requirements of this chapter and section 19-13-B33a of the Public Health Code of the state of Connecticut shall be entitled to receive and retain such a license.

(Prior code § 19-125)

8.84.040 Issuance of license.

A. Any person, firm, corporation or association which wishes to operate a pool with the city shall designate an individual who will be held responsible for the operation and maintenance of the pool.

B. When, upon inspection by the city health department, it is determined that the swimming pool meets the requirements set forth in this chapter, a license will be issued stating that the pool has met the approval of the city health department.

C. Each licensed artificial public pool shall be subject to an annual inspection on or before May 15th of each year. A license shall be automatically revoked upon failure by a licensee to permit such annual inspection.

(Prior code § 19-126)

8.84.050 Annual fee.

A. The annual fee for a swimming pool license shall be two hundred dollars ($200.00) required upon initial inspection and then by May 15th, each year thereafter.

B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before May 1st, the license shall increase to four hundred dollars ($400.00).

(Ord. dated 1/18/94 (part): prior code § 19-127)

(Ord. dated 11/3/08)

8.84.060 Suspension of license.

If upon inspection, conditions detrimental to the public health are found either due to violation of Section 19-13-B33a of the Connecticut Public Health Code, violation of this chapter, negligence, faulty equipment or inadequate operational procedures, the director of health may, by written order, immediately suspend the license to operate the pool until such time as the conditions for the suspension have been corrected.

(Prior code § 19-128)

8.84.070 Reinstatement of license.

A suspended license may be reinstated by written permission of director of health when upon reinspection the conditions causing the suspension of the license have been corrected.

(Prior code § 19-129)

8.84.080 Revocation of license.

The director of health may revoke any license to operate a pool for failure to comply with his or her written order following suspension of the license. A written notice of revocation shall be sent from the director of health to the licensed person or persons indicating that the license has been revoked and the reasons for the revocation. A revocation notice shall not be issued for at least five days after the suspension of the license.

(Prior code § 19-130)

8.84.090 Appeal.

The person or persons to whom the license was issued may appeal a written order to the director of

health. The appeal shall be made in writing and shall be received by the director of health within two working days after receipt of the order. The director shall immediately review the case and may vacate, modify or affirm such order. The licensee aggrieved by the decision of the director of health may, within forty-eight (48) hours after the making of such decision, appeal to the board of health, who shall thereupon immediately notify the authority from whose order the appeal was taken, and examine into the merits of such case, and may vacate, modify or affirm such order.

(Prior code § 19-131)

8.84.100 Reissuance of license.

A license to operate shall be issued upon proper application and upon presentation of evidence that the deficiencies causing revocation have been corrected. A license fee of fifty dollars ($50.00) will be required for all reissued licenses.

(Prior code § 19-132)

(Ord. dated 11/3/08)

8.84.110 Violation Penalty.

A. Any person who violates any provision of this chapter shall be fined not more than two hundred dollars ($200.00) for each violation.

B. It shall be the responsibility of the offender to abate the violation as ordered by the director of health. Each day an artificial public pool is operated without a license or in other violation of this chapter shall be deemed a separate offense.

(Prior code § 19-134)

(Ord. dated 11/3/08)

Chapter 8.88
MUNICIPAL CLINICS

Sections:

8.88.010 Board of governors Composition Terms.

There shall continue to be a public dispensary known as the municipal clinics of the city, which shall be under the management, direction and control of a board of governors of eight members, at least six of whom shall be physicians who have engaged in the actual practice of their profession in the city for a period of at least three years. The members of such board shall occupy their office during good behavior, and such board shall fill any vacancy which shall occur in their membership by death, resignation or removal. The director of health and social services and the superintendent of the department of public welfare shall be ex officio members of such board.

(Ord. dated 12/21/92 § 75(h); prior code § 14-49)

8.88.020 Board of governors Officers.

The board of governors of the municipal clinics shall annually elect from its members a president and a secretary. It shall be the duty of the secretary to keep an accurate record of the proceedings of the board.

(Prior code § 14-50)

8.88.030 Board of governors Duties.

The board of governors of the municipal clinics shall maintain and conduct the emergency hospital and such clinics as it may determine. The activities of the board, except as to emergency work, shall be confined to the dependent and semidependent classes of the city and shall include the assumption of the duties imposed upon selectment by statute relative to the medical treatment of paupers insofar as such treatment may be provided within such clinics. Such board shall cooperate with the department of health and social services in the physical and mental examination of such other persons as may be agreed upon by such boards.

(Ord. dated 12/21/92 § 75(g); prior code § 14-51)

8.88.040 Board of governors Assistance by board of public welfare.

The board of public welfare shall lend all assistance to the board of governors of the municipal clinics when possible and shall provide such material relief in food, diets, fuel and rent as may be necessary in the judgment of the board of governors to supplement its medical and social treatment to the end that practical benefit to patients may be effected; provided, however, that nothing in this section shall obligate the board of public welfare to furnish aid to any individual not legally entitled thereto.

(Prior code § 14-52)

8.88.050 Construction of chapter.

Nothing in this chapter shall be construed so as to conflict with the powers and duties of the department of health and social services or the board of public welfare as defined by the statutes of the state and the charter of the city, and the board of governors of the municipal clinics shall strictly comply with the authorized rules and regulations of the department of health and services.

(Ord. dated 12/21/92 § 75(g); prior code § 14-53)

8.88.060 H. Philip Dinan Evaluation Center.

The authority for the administration of the services of the H. Philip Dinan Evaluation Center shall be transferred from the department of health and social services to the board of education.

(Ord. dated 12/21/92 § 75(g); prior code § 14-54)

Chapter 8.90
REGULATION OF THE MARKETING OF TOBACCO PRODUCTS TO CHILDREN

Sections:

8.90.070 Effective date.

8.90.010 Short title.

This chapter shall be known and may be cited as the "Bridgeport tobacco marketing ordinance."

(Ord. dated 3/15/99)

8.90.020 Purpose of chapter.

A. It is declared to be the public policy of the city to reduce the exposure of its children to the marketing of tobacco products in order to promote their health, safety and welfare. The city finds that the use of tobacco products has prevalent, material, and predictable deleterious impacts on the health of individuals and is therefore a significant threat to the public health of its inhabitants. Thousands of users of tobacco products and other individuals exposed to second-hand smoke die or are stricken with illnesses every year that are attributed to tobacco use. Tobacco advertising, whether intended to promote tobacco use or only to compete for market share, has the consequence of promoting tobacco use. Tobacco advertising helps significantly to induce children to initiate tobacco use. Children are more receptive than adults to the clever images and messages contained in tobacco advertising and are likely to purchase the most heavily-advertised brands. Exposure to tobacco marketing, adult smoking, and peer smoking are the greatest risk factors for teenage children that decide to smoke. Of these, exposure to marketing is the greatest risk factor. The prohibition on sales to children is useful but is insufficient alone to discourage tobacco use among children.

B. The city believes that additional measures must be taken to reduce the exposure of minors to tobacco advertising. Pursuant to the statutes of the State of Connecticut, the city has the power to regulate and prohibit any trade or business which is or may become prejudicial to public health and may make lawful regulations and ordinances in furtherance of public health. Therefore, to encourage the protection of the public health, the city seeks to reduce the exposure of children to tobacco sales, marketing and use by taking measures that include:

1. Prohibiting certain outdoor advertising in public places and certain indoor advertising of tobacco products in places likely to be frequented by children;

2. Prohibiting the marketing of tobacco products in proximity to schools, parks and other locations frequented by children;

3. Prohibiting certain tobacco marketing methods that are aimed at children or are likely to induce or encourage the use of tobacco products among children;

4. Creating a permit system with penalties as a means of enforcing the requirements of this chapter on those who sell tobacco products; and

5. Prohibiting the use of tobacco products at all Bridgeport public schools.

(Ord. dated 3/15/99)

8.90.030 Definitions.

When used in this chapter, the following words and terms shall have the following meanings:

"Public park" means any public park of the city, whether designated as a park, park land, open spaces or recreation areas on the master plan of the city or on local zoning, assessment, engineering or geographic information system maps, as well as any other location used as a park within the city.

"Public place" means any public area, including public parks and public schools, where a tobacco advertisement is located or from which a tobacco advertisement on public or private property can be seen, including, but not limited exclusively to, advertisements on billboards, buildings, store fronts, public transportation vehicles including buses, taxicabs, ferry boats, government buildings, government real property, and tobacco advertisements at all places of public convenience frequented or likely to be frequented by children, including without limitation sports or entertainment facilities, fields and arenas open to the public, except for adult establishments such as bars, nightclubs and other places of public entertainment where children are excluded by law. A "public place" does not mean or include any location intended to be visible only by those inside a premises, a private residence or a multiple dwelling unit.

"Public school" includes all pre-school, elementary, intermediate and high schools, and all other schools that come under the jurisdiction of the board of education.

"Tobacco" or "tobacco products" means all products containing tobacco or a tobacco derivative, including but not exclusively limited to, cigarettes, cigars, pipe tobacco, chewing tobacco, and so-called "smokeless" tobacco products, and products or merchandise sold, distributed or given away alone or in combination with other goods, services or merchandise which contains thereon the name brand, slogan, artwork, imagery or opinions of, or which products or merchandise are associated with, the maker or distributor of tobacco products.

"Tobacco advertisement" means the use of any promotional material in any media to market tobacco products or to promote tobacco use, including the sponsorship of sporting or entertainment events or the sponsorship of individual teams, entrants or competitors, advertising the sale or promoting the use of tobacco products in a public place, except retailers of tobacco products who may use only tombstone advertising after such retailer obtains a tobacco marketing permit pursuant to this chapter. A "tobacco advertisement" does not include advertisements on commercial vehicles used for transporting tobacco or tobacco products or any sign that contains the name or slogan of the business located within the premises on which such sign is located, provided such sign does not contain a brand name of a tobacco

product.

"Tobacco marketing permit" or "tobacco permit" means the permit specified herein which must be obtained from the health department by every person or entity which sells or offers for sale tobacco products directly to the public.

"Tobacco sale" means the actual sale, including face-to-face sales and all self-service sales methods, and free distribution or giveaway of tobacco products alone or in combination with other goods, services, merchandise or marketing promotions, as well as the sale or distribution of individual cigarettes or cigars or the sale or distribution of a lesser number of cigarettes or cigars than the advertised count on a typical pack or container.

"Tombstone advertisement" means the posting in public view of announcements as to the availability of tobacco products and the price thereof on a sign or signs, which shall be in a black-and-white format only and may not contain logos, artwork, imagery, slogans or opinions about tobacco products or promote the use thereof.

(Ord. dated 3/15/99)

8.90.040 Prohibited practices.

A. Tobacco advertisements are prohibited in public places as specified in this chapter.

B. Tobacco sales are prohibited by vending machine or other self-vending methods except for adult establishments as defined in "public place" and as permitted by Section 8.90.060.

C. Marketing of tobacco products is prohibited in the locations, and in the manners, specified in this chapter.

D. Tobacco sales are prohibited except in accordance with this chapter after obtaining a tobacco permit described in Section 8.90.050.

E. Use of tobacco products is prohibited on public school property.

(Ord. dated 3/15/99; Ord. dated 11/1/99)

8.90.050 Tobacco marketing permit procedure.

A. All tobacco sales by retailers which commence operations after the effective date of this chapter shall be made only after obtaining a tobacco marketing permit from the health department on a form provided and upon a demonstration of compliance with this chapter. All retailers existing prior to the effective

date of this ordinance may continue to make tobacco sales until December 31, 1999. Starting January 1, 2000, all such retailers must obtain a tobacco marketing permit pursuant to this chapter.

B. The permit fee shall be one hundred and twenty-five dollars ($125.00) per calendar year, or a pro rata portion thereof based upon the number of months during the calendar year in which such retailer was in operation.

C. The duration of a permit shall be for one calendar year.

D. Violations of this chapter by a retailer shall be punishable by fine or revocation of the permit, as follows:

1. Upon violation of this chapter, the health department shall issue a written warning or citation to the retailer specifying the violation of this chapter.

2. If the retailer fails to demonstrate that the action complained of in the citation has been corrected to the satisfaction of the health department within five business days of the date the citation was issued, a violation will then be issued for the action complained of.

3. A violation is punishable by a fine of one hundred dollars ($100.00) per day pursuant to Chapter 1.12, Section 1.12.010 of the municipal code of ordinances for each day that the action complained of was not corrected after the violation was issued, and such amount shall be paid to the health department within ten business days of demand.

4. If a second violation is issued within the same calendar year, in addition to the monetary fine payable, the tobacco marketing permit shall be suspended for a period of thirty-one (31) calendar days, or until the last day of the calendar month, whichever occurs first.

5. If a third violation is issued within the same calendar year, in addition to the monetary fine payable, the tobacco marketing permit shall be suspended for one hundred eighty (180) days, or until the last day of the calendar year, whichever occurs first.

6. If a retailer has received three or more violations in a calendar year, no tobacco marketing permit will be issued to such business for the next succeeding calendar year.

E. Violations of this chapter by an advertiser, marketer or promoter of tobacco products or promoting the use thereof, other than a retailer, shall be punishable by a fine of one hundred and twenty-five dollars ($125.00) per day for each day that such violation continues beyond the tenth day after such violation is issued.

(Ord. dated 3/15/99)

(Ord. dated 11/3/08)

8.90.060 Phase-in applicable to certain businesses.

If a retailer or other business owner can demonstrate to the reasonable satisfaction of the health department within sixty (60) days of the effective date of this chapter that it has entered into written agreements that existed on or before April 1, 1999, pertaining to the sale, advertisement, vending machine or other self-service sales method or other marketing of tobacco products that would otherwise be prohibited by this chapter, and further demonstrates that such written agreements would be materially violated or cancelled upon the enforcement of this ordinance against such retailer or business owner, the health department may issue an appropriate waiver of the strict enforcement of one or more of the provisions of this chapter, but only as to such specific business relationship, which waiver shall not be granted for a period in excess of two years from the effective date hereof.

(Ord. dated 3/15/99)

8.90.070 Effective date.

This chapter shall be effective upon publication.

(Ord. dated 3/15/99)

Chapter 8.92
MISCELLANEOUS HEALTH REGULATIONS

Sections:

8.92.010 Water supply for dwellings.

No person shall let, lease or permit to be occupied any dwelling house, unless such premises shall have a plentiful supply of pure water, suitable for domestic purposes, furnished at one or more places in such house, or in the yard thereof, or at a place reasonably convenient to such house. Nothing in this section shall be so construed as to be inconsistent with Section 19-346 of the General Statutes.

(Prior code § 14-1)

8.92.020 Restriction as to number of occupants of dwellings.

No owner, lessee, agent or keeper of any dwelling house shall allow so great a number of persons to dwell, be or sleep in any such house as to be detrimental to health. Whenever the department of health and social services shall deem any such building to be overcrowded, upon notice thereof to the owner, lessee, agent or keeper, he shall forthwith take such steps and do such things as shall be required by such board to remedy such overcrowding. Nothing in this chapter shall be construed as to be inconsistent with Section 19-346 of the General Statutes.

(Ord. dated 12/21/92 § 75(g); prior code § 14-2)

8.92.030 Orders of department of health and social services as to unsanitary buildings.

Whenever it shall become apparent to the department of health and social services that any building, or part thereof, has become dangerous to health by reason of being infected with disease, or for want of repair, or for defects in plumbing, drainage, ventilation or construction of the same, or by the existence of any nuisance on the premises which may be likely to cause sickness among its occupants, such board may order all persons therein to vacate such premises. Such board shall cause such order to be affixed conspicuously on the building and to be also served on the owner, lessee or agent, or any other person having charge thereof. Such order shall be removed only upon evidence being furnished to the

department of health and social services that the danger from such building has ceased to exist. Nothing in this section shall be so construed as to be inconsistent with Section 19-344 of the General Statutes or the sanitary code of the state.

(Ord. dated 12/21/92 § 75(g); prior code § 14-3)

8.92.040 Disposition of offensive matter.

No person shall drawn or clean any fish, fowl or animal in or on any sidewalk or street; nor throw or place upon any public dumping place, street, alley or land, or in any water, any matter having an offensive odor or any matter liable to ferment or decompose and become offensive or detrimental to health.

(Prior code § 14-4)

8.92.050 Sputum examination for tuberculosis.

When any physician shall have under his professional charge a patient whom he has reasonable ground to suspect may be suffering from tuberculosis, and is unable to diagnose such disease without a bacteriological examination, he may, if such patient is financially unable to pay for such examination, submit a sample of sputum from such patient to the department of health and social services, which board shall cause such examination to be made without charge.

(Ord. dated 12/21/92 § 75(g); prior code § 14-5)

8.92.060 Interference with director of health and social services.

No person shall hinder or prevent the director of health and social services from securing the isolation of any person sick with a contagious disease, the disinfection of any premises or articles which have been exposed to infection, or the using of any method or means he may deem proper to control the spread of a contagious disease.

(Ord. dated 12/21/92 § 75(h); prior code § 14-6)

8.92.070 Disinfection Clothing.

No person shall enter any public conveyance wearing or having in his possession any clothing or article with which he shall have been in attendance upon a person sick with diphtheria, smallpox, scarlet fever or typhus fever, without having had the same disinfected to the satisfaction of the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 14-7)

8.92.080 Disinfection Vehicles.

No motor vehicle, streetcar, vessel or other public or private conveyance in which a person has been carried, which person was known to the owner, driver, captain, master or other person having charge thereof to be sick with diphtheria, smallpox, scarlet fever or typhus fever, shall be thereafter used for carrying any passenger until such vehicle, streetcar or vessel has been disinfected to the satisfaction of the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 14-8)

8.92.090 Disinfection Houses.

No person shall let or hire any house, or room in a house, in which cholera, smallpox, diphtheria, yellow fever, typhus, typhoid or scarlet fever has existed, without having caused the house or premises to be disinfected to the satisfaction of the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 14-9)

8.92.100 Englewood Hospital regulations.

The director of health and social services shall have supervision of the Englewood Hospital. He shall cause to be treated all patients received and shall make such rules and regulations referring to the caretakers and patients as may be necessary, subject to the approval of the department of health and social services.

(Ord. dated 12/21/92 § 75(g), (h); prior code § 14-10)

8.92.110 Inspection of ice.

The department of health and social services or any member thereof, or the director of health and social services, or any person authorized by such board or director, is empowered to enter the premises or vehicle of any person wherein ice is kept, carried, exposed or offered for sale to inspect such premises or vehicle and the ice contained therein.

(Ord. dated 12/21/92 § 75(g), (h); prior code § 14-11)

8.92.120 Inspection of poultry.

The director of health and social services shall inspect all poultry which shall be brought into the city

before such poultry may be offered for sale and may reject and cause to be withheld from sale such poultry as shall in his estimation fall below the standard the department of health and social services shall have set therefor. The director of health and social services may appoint a veterinarian to inspect all live poultry entering or within the city which is to be sold or used for food purposes.

(Ord. dated 12/21/92 § 75(g), (h); prior code § 14-12)

8.92.130 Public restroom cleanliness.

All public restrooms are required to have one functional coat hook per commode. No fines or citations shall be issued for violation of this section unless a warning notice has been issued allowing five days to cure the violation.

(Ord. dated 3/6/06)

Chapter 8.94
WEST SIDE NEIGHBORHOOD REVITALIZATION ZONE

Sections:

8.94.010 Establishment of West Side Neighborhood Revitalization Zone.

By Resolution 45-07, on April 7, 2008, the city council established the West Side Neighborhood Revitalization Zone, the boundaries of which were jointly determined by the West Side Neighborhood Committee and the city council. These boundaries are set forth below in Section 8.94.050.

(Ord. dated 8/4/08)

8.94.020 Declaration of policy.

It is found and declared that there exists within the West Side neighborhood a significant number of deteriorated property and property that has been foreclosed, is abandoned, blighted, or is substandard or poses a hazard to public safety, and that the existence of such deteriorated, foreclosed, abandoned, blighted, substandard, and hazardous property contributes to the decline of the West Side neighborhood. Connecticut General Statute Chapter 118, Sections 7-601 to 7-608, provides for Municipalities to establish a Neighborhood Revitalization Zone to address these issues.

The West Side neighborhood has followed the Connecticut General Statutes and has adopted a Neighborhood Revitalization Planning Committee and approved a West Side Neighborhood Revitalization Zone Strategic Plan. The plan is now adopted as this chapter in accordance with Section 7-601(d) of the General Statutes of Connecticut.

(Ord. dated 8/4/08)

8.94.030 Definitions.

For the purpose of this chapter, the following words and terms shall have the meanings respectively ascribed as follows:

"West Side Neighborhood Revitalization Zone Planning Committee" refers to the committee authorized by the city council on April 7, 2008, to establish the West Side Neighborhood Revitalization Zone Strategic Plan, in accordance with Section 7-601 of the General Statutes of Connecticut.

"West Side Neighborhood Revitalization Zone Implementation Committee" refers to the permanent committee authorized by this chapter to implement the West Side Neighborhood Revitalization Zone Strategic Plan.

"West Side Neighborhood Revitalization Zone Strategic Plan" refers to the Plan approved by the West Side Neighborhood Revitalization Zone Planning Committee and approved by the city council as this ordinance, in accordance with Section 7-601(d) of the General Statutes of Connecticut, also referred to as "The Plan," and as may be amended from time to time in accordance with Section 7-602(b) of the General Statutes of Connecticut, and Section 8.94 below.

"West Side Neighborhood Revitalization Zone" refers to the boundaries approved by the City Council on April 7, 2009 and as set forth in this chapter in Section 8.94 below.

"The Plan" refers to West Side Neighborhood Revitalization Zone Strategic Plan as approved by the West Side Neighborhood Revitalization Zone Planning Committee, and approved by the city council as this chapter, in accordance with Section 7-601(d) of the General Statutes of Connecticut.

(Ord. dated 8/4/08)

8.94.040 Authority to implement the West Side Neighborhood Revitalization Zone Strategic Plan.

The West Side Neighborhood Revitalization Zone Implementation Committee shall have the authority to implement the West Side Neighborhood Revitalization Zone Strategic Plan that is approved by the city council and incorporated by reference into this chapter. This committee shall be comprised of the members of the former West Side Neighborhood Revitalization Zone Planning Committee and shall include a representative of the City of Bridgeport. It is expected the West Side Neighborhood Revitalization Zone Committee will need the assistance of various city agencies or departments to implement certain aspects of the plan, and the city shall provide appropriate non-monetary assistance as necessary. The West Side Neighborhood Revitalization Zone Committee shall abide by all reporting requirements set forth in the General Statutes in Sections 7-602 through 7-608. The by-laws of the former West Side Neighborhood Revitalization Zone Planning Committee shall be adopted as the by-laws of the West Side Neighborhood Revitalization Zone Committee.

(Ord. dated 8/4/08)

8.94.050 Boundaries of West Side Neighborhood Revitalization Zone.

The following are the boundaries of the West Side Neighborhood Revitalization Zone, as adopted by the city council on April 7, 2008:

WHEREAS, the West Side/West End neighborhood is one of two communities located on the lower west side of the City of Bridgeport, Connecticut. The West Side/West End neighborhood includes a. municipal development area, four historic districts, longtime commercial and residential owners and renters, along with the cultural and ethnic diversity that has become representative of the City of Bridgeport. The West Side/West End neighborhood comprises, in whole or in part five U.S. Census Tracts: 703, 709, 710, 711 and 712. The neighborhood is bounded by Bostwick Avenue and Mt. Grove Cemetery to the west, Cedar Greek to the south, Iranistan Avenue and Park Avenue to the east, and North Avenue to the north. These boundaries are also clearly delineated in the West Side/West End NRZ Bylaws.

(Ord. dated 8/4/08)

8.94.060 Authority to amend West Side Neighborhood Revitalization Zone Strategic Plan.

As necessary, the West Side Neighborhood Revitalization Zone Implementation Committee may amend the plan. Changes to the boundaries to the zone require the approval of Neighborhood Revitalization Zone Implementation Committee and the city council. Other amendments, that were not a concept or a proposal within the scope of the original strategic plan, must also be approved by the city council, in accordance with Section 7-602(b) of the General Statutes of Connecticut.

(Ord. dated 8/4/08)

Chapter 8.96
BLACK ROCK NEIGHBORHOOD REVITALIZATION ZONE

Sections:

8.96.010 Establishment of Black Rock Neighborhood Revitalization Zone.

By Resolution 44-07, on April 7, 2008, the city council established the Black Rock Neighborhood Revitalization Zone, the boundaries of which were jointly determined by the Black Rock Neighborhood Committee and the city council. These boundaries are set forth below in Section 8.96.050.

(Ord. dated 8/4/08)

8.96.020 Declaration of policy.

It is found and declared that there exists within the Black Rock neighborhood a significant number of deteriorated property and property that has been foreclosed, is abandoned, blighted, or is substandard or poses a hazard to public safety, and that the existence of such deteriorated, foreclosed, abandoned, blighted, substandard, and hazardous property contributes to the decline of the Black Rock neighborhood. Connecticut General Statute Chapter 118, Sections 7-601 to 7-608, provides for Municipalities to establish a Neighborhood Revitalization Zone to address these issues.

The Black Rock neighborhood has followed the Connecticut General Statutes and has adopted a Neighborhood Revitalization Planning Committee and approved a Black Rock Neighborhood Revitalization Zone Strategic Plan. The Plan is now adopted as this ordinance in accordance with Section 7-601(d) of the General Statutes of Connecticut.

(Ord. dated 8/4/08)

8.96.030 Definitions.

For the purpose of this chapter, the following words and terms shall have the meanings respectively ascribed as follows:

"Black Rock Neighborhood Revitalization Zone Planning Committee" refers to the committee authorized by the city council on April 7, 2008, to establish the Black Rock Neighborhood Revitalization Zone Strategic Plan, in accordance with Section 7-601 of the General Statutes of Connecticut.

"Black Rock Neighborhood Revitalization Zone Implementation Committee" refers to the permanent committee authorized by this chapter to implement the Black Rock Neighborhood Revitalization Zone Strategic Plan.

"Black Rock Neighborhood Revitalization Zone Strategic Plan" refers to the plan approved by the Black Rock Neighborhood Revitalization Zone Planning Committee and approved by the city council as this chapter, in accordance with Section 7-601(d) of the General Statutes of Connecticut, also referred to as "the plan," and as may be amended from time to time in accordance with Section 7-602(b) of the General Statutes of Connecticut, and Section 8.96 below.

"Black Rock Neighborhood Revitalization Zone" refers to the boundaries approved by the city council on April 7, 2009 and as set forth in this chapter in Section 8.96 below.

"The plan" refers to Black Rock Neighborhood Revitalization Zone Strategic Plan as approved by the Black Rock Neighborhood Revitalization Zone Planning Committee, and approved by the city council as this chapter, in accordance with Section 7-601(d) of the General Statutes of Connecticut.

(Ord. dated 8/4/08)

8.96.040 Authority to implement the Black Rock Neighborhood Revitalization Zone Strategic Plan.

The Black Rock Neighborhood Revitalization Zone Implementation Committee shall have the authority to implement the Black Rock Neighborhood Revitalization Zone Strategic Plan that is approved by the city council and incorporated by reference into this chapter. This committee shall be comprised of the members of the former Black Rock Neighborhood Revitalization Zone Planning Committee and shall include a representative of the City of Bridgeport. It is expected the Black Rock Neighborhood Revitalization Zone Committee will need the assistance of various city agencies or departments to implement certain aspects of the Plan, and the city shall provide appropriate non-monetary assistance as necessary. The Black Rock Neighborhood Revitalization Zone Committee shall abide by all reporting

requirements set forth in the General Statutes in Sections 7-602 through 7-608. The by-laws of the former Black Rock Neighborhood Revitalization Zone Planning Committee shall be adopted as the by-laws of the Black Rock Neighborhood Revitalization Zone Committee.

(Ord. dated 8/4/08)

8.96.050 Boundaries of Black Rock Neighborhood Revitalization Zone.

The following are the boundaries of the Black Rock Neighborhood Revitalization Zone, as adopted by the City Council on April 7, 2008:

Black Rock is the southwestern-most neighborhood in Bridgeport directly east of Fairfield, Connecticut. The neighborhood includes one historic district (Black Rock Historic District). Originally established as part of Fairfield, Connecticut, Black Rock, and especially Black Rock Harbor, was once that town's leading port. According to the by-laws enacted by the Black Rock NRZ Planning Committee, Metro North's railroad tracks make up the neighborhood's northern boundary; the southern boundary is the Long Island Sound (specifically, Black Rock Harbor); the eastern boundary is made up of Bostwick Avenue and Pine Street; and the western boundaries are the Fairfield town line and Ash Creek. The neighborhood consists of US Census Tracts 701, 702 and part of 703.

(Ord. dated 8/4/08)

8.96.060 Authority to amend Black Rock Neighborhood Revitalization Zone Strategic Plan.

As necessary, the Black Rock Neighborhood Revitalization Zone Implementation Committee may amend the plan. Changes to the boundaries to the zone require the approval of Neighborhood Revitalization Zone Implementation Committee and the city council. Other amendments, that were not a concept or a proposal within the scope of the original strategic plan, must also be approved by the city council, in accordance with Section 7-602(b) of the General Statutes of Connecticut.

(Ord. dated 8/4/08)